

Mr. REECE: Committee on Military Affairs. H. R. 10611. A bill to correct the military record of Estle David; with amendments (Rept. No. 1224). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 11206. A bill to correct the military record of John T. O'Neil; with amendments (Rept. No. 1225). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11660) granting an increase of pension to Frances D. Grishaw; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11606) granting an increase of pension to Catherine Bridgeford; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11647) granting a pension to Amanda Armstrong; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 11648) granting a pension to Fannie E. Myers; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GASQUE: A bill (H. R. 11701) to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887; to the Committee on the District of Columbia.

By Mr. KNUTSON: A bill (H. R. 11702) granting the consent of Congress to the village of Spooner, Minn., to construct a bridge across the Rainy River; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of Arkansas: A bill (H. R. 11703) granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of St. Charles, in the county of Arkansas, State of Arkansas; to the Committee on Interstate and Foreign Commerce.

By Mr. GARBER: A bill (H. R. 11704) to promote the flow of foreign commerce through all ports of the United States and to prevent the maintenance of port differentials and other unwarranted rate handicaps; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEIDER: A bill (H. R. 11705) to prevent the use of stop watches or similar devices in the Postal Service and guaranteeing to postal employees their lawful rights; to the Committee on the Post Office and Post Roads.

By Mr. FRENCH: A bill (H. R. 11706) to authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho; to the Committee on Interstate and Foreign Commerce.

By Mr. BOYLAN: Joint resolution (H. J. Res. 323) requesting the President to appoint a minister to represent the Government of the United States at the seat of Government of the Irish Free State at Dublin, Ireland; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GIBSON: A bill (H. R. 11707) granting an increase of pension to Lurana Silsby; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 11708) granting a pension to Joseph D. Killerlain; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 11709) to provide for the payment of the amount of war-risk insurance to a beneficiary designated by Staff Sergt. Leslie I. Wright, deceased; to the Committee on War Claims.

By Mr. KNUTSON: A bill (H. R. 11710) granting an increase of pension to Edidius J. Fehr; to the Committee on Pensions.

Also, a bill (H. R. 11711) granting an increase of pension to Paulinus G. Huhn; to the Committee on Pensions.

By Mr. MAGEE of New York: A bill (H. R. 11712) granting an increase of pension to Caroline M. Welch; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11713) granting an increase of pension to Elimina C. Stanley; to the Committee on Invalid Pensions.

By Mr. SCHAFER: A bill (H. R. 11714) granting a pension to Edward H. Van Epps; to the Committee on Pensions. Also, a bill (H. R. 11715) for the relief of Peter Moreau; to the Committee on Military Affairs.

By Mr. SWOOPE: A bill (H. R. 11716) granting an increase of pension to Elizabeth R. Carlisle; to the Committee on Invalid Pensions.

By Mr. TABER: A bill (H. R. 11717) granting an increase of pension to Harriet J. Webber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11718) placing the name of James M. Wells on the pension roll of the Post Office Department; to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 11719) granting a pension to Susan McDonald; to the Committee on Invalid Pensions.

By Mr. WILSON of Indiana: A bill (H. R. 11720) granting an increase of pension to Mary E. Hickman; to the Committee on Invalid Pensions.

By Mr. WRIGHT: A bill (H. R. 11721) granting a pension to Texas Hall; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3472. By Mr. GALLIVAN: Petition of Metropolitan Lithograph & Publishing Co., Boston, Mass., protesting against any increase of rates on souvenir post cards; to the Committee on the Post Office and Post Roads.

3473. Also, petition of Brotherhood Temple, Ohabel Shalom, Boston, Mass., recommending early and favorable consideration of the joint resolution now pending in Congress providing for the admission of approximately 8,000 immigrants now stranded in various European ports; to the Committee on Immigration and Naturalization.

3474. By Mr. GARBER: Petition of Charles West, Tulsa, Okla., asking that the appropriation for the War Department for the civilian military training camps be sufficient for training 40,000 men instead of 29,000; to the Committee on Military Affairs.

3475. Also, petition of Post No. 8, American Legion, Casa Grande, Ariz., urging that the Bursum bill (S. 33) and Lineberger bill (H. R. 6484) be passed early and favorably; to the Committee on Pensions.

3476. Also, petition of residents of Texas and Noble Counties, Okla., to the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218) nor to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3477. By Mr. KINDRED: Petition of the Merchants' Association of New York, favoring the passage of House bill 11503, authorizing the President in certain cases to modify passport visé requirements; to the Committee on Foreign Affairs.

3478. By Mr. O'CONNELL of New York: Petition of the Merchants' Association of New York, favoring the passage of House bill 11503, authorizing the President in certain cases to modify visé requirements; to the Committee on Foreign Affairs.

3479. By Mr. SPEAKS: Papers to accompany House bill 11686, granting an increase of pension to Elizabeth A. Brown; to the Committee on Invalid Pensions.

SENATE

SATURDAY, January 17, 1925

(Legislative day of Thursday, January 15, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the House had passed the bill (S. 2975) validating certain applications for and entries of public lands, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had concurred in the following Senate concurrent resolutions:

S. Con. Res. 25. Concurrent resolution relating to the election of President and Vice President of the United States; and

S. Con. Res. 26. Concurrent resolution to correct an error in the enrollment of the bill (S. 387) to prescribe the method of capital punishment in the District of Columbia.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 5204. An act to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes;

H. R. 5555. An act to include certain lands in the county of Eldorado, Calif., in the Eldorado National Forest, Calif., and for other purposes;

H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 6713. An act to define trespass on coal land of the United States and to provide a penalty therefor;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, situated in the county of Baldwin, State of Alabama;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 9028. An act to authorize the addition of certain lands to the Whitman National Forest;

H. R. 9029. An act to promote the mining of potash on the public domain;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9688. An act granting public lands to the city of Red Bluffs, Calif., for a public park;

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.";

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11211. An act for the inclusion of certain lands in the Plumas National Forest, the Eldorado National Forest, the Stanislaus National Forest, the Shasta National Forest, and the Tahoe National Forest, and for other purposes;

H. R. 11356. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 11357. An act authorizing the President of the United States to restore to the public domain lands reserved by public proclamation as national monuments and validating any such restorations heretofore so made by Executive order; and

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands."

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILWAY CO.

The PRESIDENT pro tempore laid before the Senate a communication from Hamilton & Hamilton, attorneys, transmitting, in compliance with law, the annual report of the Georgetown Barge, Dock, Elevator & Railway Co., which was referred to the Committee on the District of Columbia.

NOBEL PEACE PRIZE

The PRESIDENT pro tempore laid before the Senate a letter from the Acting Secretary of State, relative to proposals of candidates for the Nobel Peace Prize for the year 1925, which, with the accompanying paper, was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, January 13, 1925.

The Hon. ALBERT S. CUMMINS,

President pro tempore of the Senate.

SIR: The Nobel Committee of the Norwegian Parliament has forwarded to the Department of State a number of copies of the committee's circular furnishing information with regard to proposals of candidates for the Nobel Peace Prize for the year 1925, with a letter requesting that the copies be distributed among those persons in the United States qualified to propose candidates.

Accordingly I have the honor to inclose a copy of the circular for the information of the Senate.

I have the honor to be, sir,

Your obedient servant,

JOSEPH C. GREW,

Acting Secretary of State.

(Inclosure: Circular of the Nobel Committee of the Norwegian Parliament)

DET NORSKE STORTINGS NOBELKOMITE. NOBEL COMMITTEE OF THE NORWEGIAN PARLIAMENT

NOBEL PEACE PRIZE

All proposals of candidates for the Nobel Peace Prize, which is to be distributed December 10, 1925, must, in order to be taken into consideration, be laid before the Nobel Committee of the Norwegian Parliament by a duly qualified person before the 1st of February of the same year.

Any one of the following persons is held to be duly qualified: (a) Members and late members of the Nobel Committee of the Norwegian Parliament, as well as the advisers appointed at the Norwegian Nobel Institute; (b) members of Parliament and members of government of the different States, as well as members of the Interparliamentary Union; (c) members of the International Arbitration Court at The Hague; (d) members of the Commission of the Permanent International Peace Bureau; (e) members and associates of the Institute of International Law; (f) university professors of political science and of law, of history, and of philosophy; and (g) persons who have received the Nobel Peace Prize.

The Nobel Peace Prize may also be accorded to institutions or associations.

According to the Code of Statutes, section 8, the grounds upon which any proposal is made must be stated, and handed in along with such papers and other documents as may therein be referred to.

According to section 8, every written work, to qualify for a prize, must have appeared in print.

For particulars, qualified persons are requested to apply to the office of the Nobel Committee of the Norwegian Parliament, Drammensvei 19, Kristiania.

PETITIONS

The PRESIDENT pro tempore laid before the Senate the petition of the Federation of Citizens' Associations of the District of Columbia, adopted by a unanimous vote at its regular meeting on Saturday, January 3, 1925, praying that Congress grant to the District, as a matter of simple justice, the observance of the principle of definite proportionate contribution by the Federal Government and the District of Columbia in appropriations for the maintenance, upkeep, and development of the Federal Territory, and so forth; which was referred to the Committee on Appropriations.

He also laid before the Senate resolutions adopted by the Stanton Park Citizens' Association, of Washington, D. C., favoring the early consummation of the original plan of adding all of the property between the Capitol and the Union Station in the city of Washington to the Capitol Grounds and to so improve and beautify this area as to make the vicinity of the main gateway to the capital of the Nation attractive to both its visitors and residents, which were referred to the Committee on Public Buildings and Grounds.

He also laid before the Senate resolutions adopted by the Arts Club of Washington, D. C., favoring the extension and preservation of parks and playgrounds in the District, so as to safeguard the public health and give the city that natural beauty essential to a national capital, which were referred to the Committee on the District of Columbia.

He also laid before the Senate a petition of sundry citizens of the State of Kansas, praying for the passage of legislation providing for the preservation of the frigate *Constitution*, which was referred to the Committee on Naval Affairs.

He also laid before the Senate resolutions of the Council of the city of Chicago, Ill., favoring the passage of legislation for the relief of certain stranded immigrants in possession of properly viséed United States passports, which were referred to the Committee on Immigration.

He also laid before the Senate a resolution adopted by the congregation of the First Evangelical Church of Yakima, Wash., favoring the distribution by Congress to the schools and homes of the country of literature relative to the suppression of the traffic in narcotic drugs, which was referred to the Committee on Education and Labor.

He also laid before the Senate the petition of Admiral George Dewey Camp, No. 7, United Spanish War Veterans, of Washington, D. C., praying for the ratification of the treaty between the United States and Cuba, signed March 2, 1904, for the adjustment of title to the ownership of the Isle of Pines, which was ordered to lie on the table.

He also laid before the Senate the following cablegram, which was referred to the Committee on Foreign Relations:

[Postal cablegram]

PERA, January 9, 1925.

PRESIDENT OF THE SENATE, Washington.

American Chamber of Commerce for Levant petition early ratification treaty; desired by all American interests in Turkey.

RE BERGERON, President.

REPORTS OF COMMITTEES

Mr. STERLING, from the Committee on Post Offices and Post Roads, to which was referred the bill (H. R. 4448) authorizing establishment of rural routes of from 36 to 75 miles in length, reported it with amendments and submitted a report (No. 874) thereon.

Mr. CAPPER, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1671) for the relief of Adaline White (Rept. No. 875);

A bill (H. R. 4294) for the relief of Casimira Mendoza (Rept. No. 876); and

A bill (H. R. 5803) for the relief of John A. Bingham (Rept. No. 877).

Mr. BRUCE, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 2042) for the relief of the owner of the coast transit division barge No. 4 (Rept. No. 878);

A bill (S. 2603) for the relief of the legal representative of the estate of Haller Nutt, deceased (Rept. No. 879); and

A bill (S. 3310) for the relief of the owners of the barkentine *Monterey* (Rept. No. 880).

Mr. BRUCE also, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 79) for the relief of the owner of the lighter *Eastman No. 14* (Rept. 881);

A bill (S. 2077) for the relief of the owner of the steamship *Trinidadian* (Rept. No. 882);

A bill (S. 2080) for the relief of the owner of barge No. 62 (Rept. No. 883);

A bill (S. 2128) for the relief of the owner of the steamship *British Isles* (Rept. No. 884); and

A bill (S. 2467) for the relief of Harold Lund (Rept. No. 885).

Mr. BRUCE also, from the Committee on Claims, to which was referred the bill (S. 2720) for the relief of Charles S. Cook, submitted an adverse report thereon (Rept. No. 886).

Mr. BAYARD, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 1615) for the relief of Arthur E. Colgate, administrator of Clinton G. Colgate, deceased (Rept. No. 887); and

A bill (S. 3673) to reimburse certain fire insurance companies for amounts paid by them for property destroyed by fire in suppressing bubonic plague in the Territory of Hawaii in the years 1899 and 1900 (Rept. No. 888).

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 167) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to those who died in the aviation service of the Army, Navy, and Marine Corps in the World War, reported it with an amendment to the title.

He also, from the same committee, to which was referred the joint resolution (S. J. Res. 163) to accept donations of historical furniture and furnishings of the correct period for use in the White House, reported it with amendments.

Mr. SPENCER, from the Committee on the Judiciary, to which was referred the bill (S. 292) to incorporate the American Bar Association, reported it without amendment.

Mr. HARRELD, from the Committee on Claims, to which was referred the bill (S. 3109) for the relief of Frank H.

Walker and Frank E. Smith, reported it with amendments and submitted a report (No. 889) thereon.

He also, from the Committee on Indian Affairs, to which was referred the bill (H. R. 5726) to amend the act of Congress of March 3, 1921, entitled "An act to amend section 3 of the act of Congress of June 23, 1906, entitled 'An act of Congress for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes,'" reported it with amendments and submitted a report (No. 890) thereon.

IMPROVED SEEDS—WILD LIFE AND FISH REFUGE

Mr. NORRIS. I introduce a bill and joint resolution. These measures were prepared by the Agricultural Department and I introduce them at the request of that department. I ask that they may be read twice and referred to the Committee on Agriculture and Forestry.

The bill (S. 3978) to authorize the Secretary of Agriculture to cooperate with State officials, crop improvement associations or growers of seeds, and other interested parties, to encourage the production of seeds of a high varietal purity and quality, and for other purposes; and the joint resolution (S. J. Res. 168) to remove restrictions upon availability and expenditure of appropriations authorized to be made for the acquisition of lands for the upper Mississippi River wild life and fish refuge, were each read twice by title and referred to the Committee on Agriculture and Forestry.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. COPELAND:

A bill (S. 3979) to amend the tariff act of 1922 and other acts, and to change the official title of the Board of United States General Appraisers and members thereof to that of the United States Customs Court, presiding judge, and judges thereof; to the Committee on the Judiciary.

By Mr. McKINLEY:

A bill (S. 3980) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the Chicago post office; to the Committee on Post Offices and Post Roads.

By Mr. HARRISON:

A bill (S. 3981) limiting the provisions of the act of August 29, 1916, relating to the retirement of captains in the Navy; to the Committee on Naval Affairs.

By Mr. SPENCER:

A bill (S. 3982) for the erection of a Federal building at Mountain Grove, Wright County, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY:

A bill (S. 3983) for the relief of Ben D. Showalter; to the Committee on Claims.

By Mr. NEELY:

A bill (S. 3984) granting an increase of pension to Ellen Hopkins; to the Committee on Pensions.

A bill (S. 3985) providing for the purchase of a site and the erection thereon of a public building at Weston, W. Va.; to the Committee on Public Buildings and Grounds.

PAYMENT OF REPARATIONS BY GERMANY

Mr. JOHNSON of California submitted the following resolution (S. Res. 301), which was read and referred to the Committee on Foreign Relations:

Resolved, That the Secretary of State be, and is hereby, requested, if not incompatible with the public interest, to transmit to the Senate copy of the agreement signed by Messrs. Kellogg, Herrick, and Logan during the past week at the conference of the allied and associate powers in the World War relating to the Dawes plan and the payment of reparations by Germany.

HOUSE BILLS REFERRED

The following bills were severally read twice by title and referred to the Committee on Public Lands and Surveys:

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 5204. An act to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes;

H. R. 5555. An act to include certain lands in the county of Eldorado, Calif., in the Eldorado National Forest, Calif., and for other purposes;

* H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 6713. An act to define trespass on coal land of the United States and to provide a penalty therefor;

H. R. 6853. An act to relinquish the title of the United States to the land in the preemption claim of William Weekley, situate in the county of Baldwin, State of Alabama;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 9028. An act to authorize the addition of certain lands to the Whitman National Forest;

H. R. 9029. An act to promote the mining of potash on the public domain;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9688. An act granting public lands to the city of Red Bluff, Calif., for a public park;

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.";

H. R. 10770. An act granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes;

H. R. 11211. An act for the inclusion of certain lands in the Plumas National Forest, the Eldorado National Forest, the Stanislaus National Forest, the Shasta National Forest, and the Tahoe National Forest, and for other purposes;

H. R. 11356. An act to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes;

H. R. 11357. An act authorizing the President of the United States to restore to the public domain lands reserved by public proclamation as national monuments, and validating any such restorations heretofore so made by Executive order; and

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands."

NAVY DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The principal legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Ralston
Bayard	Fernald	Keyes	Ransdell
Bingham	Ferris	King	Reed, Mo.
Borah	Fess	McCormick	Reed, Pa.
Brookhart	Fletcher	McKellar	Sheppard
Broussard	George	McKinley	Shipstead
Bruce	Gerry	McLean	Simmons
Bursum	Gooding	McNary	Smoot
Butler	Greene	Mayfield	Spencer
Cameron	Hale	Means	Sterling
Capper	Harrell	Metcalf	Swanson
Caraway	Harris	Moses	Walsh, Mass.
Copeland	Harrison	Neely	Walsh, Mont.
Couzens	Healin	Norris	Warren
Cummins	Howell	Oddie	Willis
Curtis	Johnson, Calif.	Overman	
Dial	Jones, Wash.	Pepper	

Mr. FLETCHER. I wish to announce that my colleague [Mr. TRAMMELL] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDENT pro tempore. Sixty-six Senators have answered to the roll call. There is a quorum present. The Clerk will report the next amendment.

The next amendment of the Committee on Appropriations was, under the subhead "Temporary government for West Indian Islands," on page 6, line 23, after the word "President," to strike out "\$270,150, plus so much of \$29,850 additional as may equal the sum of revenue collected and paid into the treasuries of said islands in excess of \$270,150," and insert "\$300,000"; and on page 7, line 2, after the word "the," to strike out "town of St. Thomas, \$45,000; in all, \$315,150," and insert "towns of St. Thomas, Christiansted, and Fredericksted, \$125,000; in all, \$425,000," so as to make the paragraph read:

For expenses incident to the occupation of the Virgin Islands and to the execution of the provisions of the act providing a temporary government for the West Indian Islands acquired by the United States from Denmark, and for other purposes, approved March 3, 1917, to be applied under the direction of the President, \$300,000; toward the construction of permanent water-supply system for the towns of St. Thomas, Christiansted, and Fredericksted, \$125,000; in all, \$425,000.

COTTON FUTURES

Mr. DIAL. Mr. President, I desire to take a few minutes of the time of the Senate on a question that is of great importance to my section of the country, and I believe to the people of the United States at large and even to the world. We have debated Muscle Shoals for a long time, and necessarily so, because it was a very important subject and Senators could well have different views on it. Our great desire was and is to be prepared to make explosives in time of war and to make fertilizer for the farmers of the country in time of peace. I am glad the proposition has passed the Senate and I hope that it will soon become a law.

We have been trying to legislate for the interests of the farmer, everyone doing all in his power to bring about better conditions for agriculture in the United States. I have a bill pending in the Senate proposing to amend the cotton futures contract law. This is a tedious subject, a technical subject, and I hope Senators will review the subject and look into it fully. Of course, many of them are already posted, but perhaps some do not realize the full scope of the law and the very injurious effect it has upon the growers of cotton.

This is an unusual and refreshing effort. I am not asking for an appropriation for the farmers. I am thoroughly of the opinion that we can help them if we should pass laws which are equal and just to all classes of our people. I submit that the present law operates injuriously to the growers of every pound of cotton in the United States.

It is a peculiar proposition. I venture to say there is nothing in the laws of merchandising or in the customs of trade which would compare to the methods and modes and plans of fixing the prices of cotton.

Briefly, there was no exchange before the Civil War. All the cotton was marketed where it was grown or shipped to commission merchants. The idea of exchanges grew up during the Civil War, and while there was no law, yet there was a custom which existed until the enactment of the present law. That custom operated injuriously to the growers of cotton. Congress was appealed to in 1884 to correct the evils, and bills were pending almost constantly down to 1914, when the present law was enacted. Under the custom any one or all of 32 grades of cotton could be tendered on a contract, at the option of the seller. The framers of the present law, those who advocated its enactment, deserve great credit. They improved the old custom, wonderfully improved it in many particulars; but unfortunately the present law is not put into operation as was intended by its framers. I desire to get some of the cobwebs out of the way. Some may think that I am opposed to exchanges, but such is not the case. I am not a great advocate of exchanges, but I believe that under a proper law, properly administered, perhaps exchanges would be of service to the grower, to the merchant, to the exporter and manufacturer, in fact to all parties dealing in cotton. There are no exchanges for wool, iron, steel, hay, and many other commodities. What I am complaining about is the operation of the present law. I do not complain of those who made the law. They did well, and if the law was put into execution as the framers intended it, it would serve a splendid purpose.

Some time ago I made some remarks on the subject, and my good friend, the Senator from Oklahoma [Mr. OWEN], when I had concluded, said he agreed with me, but that I talked too long and it was confusing. He suggested that if I made another talk I should be brief. I concur with him. That reminds me of a distinguished lawyer in my State many years ago who was arguing an important case before one of our judges. The lawyer commenced to quote decisions of English courts,

and followed them by decisions of Massachusetts courts and other courts down the coast, and after speaking about three hours he said, "May it please your honor, I have a decision right here from our own supreme court which is conclusive of this case." Then the judge said, "Mr. Lawyer, why in the world did you not read that case first?" So now, Mr. President, I am going to omit a good deal that I might say on this subject, and I will get right down to the point which I desire to bring to the attention of the Senate.

I am not complaining of the future market, as I have before stated, if it were operated properly; but unfortunately for our people, for the growers of cotton, the price in the future contract fixes the price of "spot" cotton. I mean practically, for all intents and purposes, the price of the "spot" cotton is governed by the price of the future contract. That being true, then, the future contract ought to be a definite, a fair, and a mutual contract; it ought to represent the actual value of the cotton itself.

There are only 10 grades of cotton that are allowed to be dealt in on the future market, and all contracts on the future market are bought and sold on that market on the basis of "middling" cotton. No mill can use 10 grades; must have cotton to suit its machinery. There is nowhere for cotton to go eventually except to the mills.

Now, briefly, I will state where the wrong comes in. Under the present law there are two sections dealing with this subject. One is section 10, which provides that at the time the contract is made one of the identical 10 grades of cotton shall be specified.

Under section 10 of that law the identical grade has to be specified, but, unfortunately for the people who raise the cotton, there has never been a contract on the New York market sold under section 10. When the law was framed no doubt those who advocated it thought they had accomplished a great deal by the incorporation of section 10, and it would have been a great accomplishment if the exchanges had put it into effect, but unfortunately there is another section in the law—section 5—which provides that all contracts shall be bought and sold on the basis of "middling" cotton with the right of the seller to deliver all of the quantity in any one or all of the 10 grades as he may see fit, with a discount below "middling" and with a premium above "middling."

Mr. President, that is the crux of the whole matter; that is the section which is employed every day; but I say that that kind of contract is not a just measure of the actual value of cotton.

If the Senate will indulge me, let me illustrate my point. Assuming that the law in reference to wheat were the same as that relating to cotton, suppose one should go to an exchange operator to buy wheat and ask, "What is your price?" He would say, "It is \$1.25 a bushel." "Why, I am delighted; I thought it was \$1.50 a bushel." "Oh, no, because my wheat is partially damaged, about one-fourth of it is damaged"; or he might say, "I am selling three pecks to a bushel." "Well, I thought there was something wrong with your wheat, because your price is so low, but let it stand; your price being so low and you and I understanding each other, we will make the bargain."

Mr. President, I have no objection to such a bargain between parties being made, for they know what they are doing; but I insist that such a quotation should not go out to the country and fix the actual price of wheat. There ought to be disclosed all of the surrounding facts that entered into the contract. What I am objecting to under that illustration is that a farmer's wheat should be measured by that defective contract; but that is what is done in the case of cotton. No definite grade or quality is fixed.

Now I will give one other illustration: Assuming that we had the same law or rule in merchandising. Suppose one should go to a tailor to contract for a suit of clothes and ask, "What is the price of this suit?" "The price is \$60," the tailor would say. We will say that there were only 10 grades of suits allowed to be dealt in. "All right, I will take the suit of clothes." But the tailor would respond, "No, I do not sell clothes in that way. I have suits here with \$10 difference in price, a \$10 discount below and a \$10 premium above the middle sample. The only way we sell is to let you select your cloth samples, and we will furnish whatever we see proper under the discount and premium rule." I venture to say, Mr. President, that no one would trade under any such arrangement as that; and yet that is the way our cotton is marketed. One would not purchase even pocket handkerchiefs on that principle. People buy and sell on exchanges, and the exchange price fixes the price of the actual cotton. It is a depreciated price.

I was surprised to ascertain some time ago that the variation in the price of cotton for 20 years has averaged 8.66 cents per pound. That means way over a million dollars a day to the cotton growers of this country.

A few years ago I introduced a bill in the Senate, which is now on the calendar, designed to correct this evil. I had the matter referred to the Federal Trade Commission. That commission worked on it for a couple of years, and then made a unanimous preliminary report in which, in conclusion it says:

Under these conditions the price received by the producer who has actual cotton to sell in the spot market would logically seem to be unfavorably affected.

In other words, the Federal Trade Commission held that the law as it now stands operates injuriously upon the growers of cotton.

The commission further investigated the subject for another year and made a final report to the Senate just before Congress adjourned at the last session. In that report, on page 19, the commission say:

An examination of the various proposals which have been made for the revision of grades deliverable on contracts leads the commission to the conclusion that the only one which promises desirable results is the three contiguous grades contract.

That is the remedy which I offered, and that is in the bill which is now pending before the Senate. It divides the 10 tenderable grades into three classes—A, B, and C—with a basic grade in each class, and one-third of the contract must be filled in the basic grade and the remainder must be filled in the other grades mentioned in that class.

Mr. President, it is argued that the exchanges are not intended as a spot market. We all know that. It is claimed that they merely provide an opportunity for hedges for people who deal in cotton, for those who make cotton goods, and also for those who raise cotton. It is not unjust for those who find it convenient or necessary to hedge their contracts; for them it may afford some protection under proper safeguards; it is insurance; but the complaint I am making is that the farmer is in no condition to hedge his contract or sell his crop in the future market.

It is claimed that this law authorizes the farmer to sell his crop before he harvests it, or even before he plants it—that is, to contract to sell it; but, Mr. President, in the first place, I presume that not one farmer in a hundred raises a hundred bales of cotton, which is the smallest unit of sale; and not only that, but if he could contract to sell ahead he would, in all probability, be in no position to put up the margin to carry the contract. Even if he did, prices would fluctuate, and so forth. Why induce him to speculate? He is not prepared. Therefore it is useless to try to render assistance to the farmer in that way. I refer to a vast majority of producers.

What I am trying to do, Mr. President, is to get the law corrected. It is a one-sided law; it is an unequal law; it is an unjust law. I merely ask that it be amended so as to specify, as any law governing contracts should specify, the grade or the quality that is dealt in and then force the seller to deliver what he contracted to sell. If the contract had to specify one identical grade, perhaps that would be a nicely beyond necessity, because no mill is compelled to have all of its cotton of one grade. No mill, however, can spin 10 different grades of cotton; it must have its cotton in grades which it can mix and which are suitable for its machinery. Therefore the best solution of which I can conceive is one that will compel delivery in any one of three contiguous grades.

As above mentioned, let there be a basic grade in each class; let a certain proportion, say a third of the contract, be filled in that basic grade, and let the remainder of the contract be filled in the basic grade or in any of the contiguous grades under the contract. Then the manufacturer will be able to mix the grades and use the entire spread. The buyer would know whether he could use grades mentioned in class A, B, or C.

Mr. President, by reason of the indefiniteness of the contract great fluctuations in prices occur almost daily. What I would like to see would be a stabilized price. If the man who is selling the contract were required to specify the grade or the quality or class of the cotton which he was selling, he might be called upon to deliver, and he would, therefore, be careful as to the price asked, and hence the price of the contract would be kept up to its real value, and that would be reflected in the value of the actual cotton down on the farm. But, as I have said, the price of cotton fluctuates violently. There are often fluctuations as great as \$10 a bale a day. No sensible man will say that there is any just or logical reason why cotton should sell for \$10 a bale less at 3 o'clock in the afternoon than it sold for at 10 o'clock in the morning. It is done by manipu-

lation. When those violent fluctuations occur they demoralize not only the growers of the cotton but the manufacturers, the merchants, the converters, and everyone who is interested in cotton goods. In the first place, the farmer becomes discouraged; tenants see that there is nothing in the crop for them and abandon the farms, losing their labor up to that time; the landlord loses his rent, and the merchant and the banker lose what they have advanced. So general demoralization is caused on the farm.

Furthermore, the converters and all would-be purchasers of cotton goods withdraw from the market; the mills have to pile up their stock, pay interest and storage and carrying charges, and often shut down and turn their labor out of employment without any fault of theirs, and general demoralization exists. Mills do not object to high-price cotton; they do object to wide and wild fluctuation. Agriculture is being ruined under this system, and it will not be long until the manufacturing interests will be demoralized completely.

What we want to do is to pass a fair, equal, and just law so that the price can be uniform, so that the law of supply and demand will function untrammelled by this legislative device.

We are taught that overproduction decreases the price of a commodity. There is nothing new or peculiar about that proposition. That being true, then overselling would have the same effect as overproduction; there should be some way to limit overselling. We can not stimulate the consumption of cotton very much in the world. About so many bales are used each year, with a reasonable spread; but if you are allowed to sell and keep on selling, the price of the contract will go down.

In 1920 we made less than 13,000,000 bales of cotton in the United States. On the New Orleans and New York Cotton Exchanges alone over 128,000,000 bales of contracts were sold—more cotton than could be raised in the next nine years. Of course, a good many of those contracts were duplicates; but the point I am making is that if there is no top to selling, no top to this kind of supply, necessarily the price of the commodity will decline.

Let us illustrate. Assume that all the mills of the world had purchased or contracted for all the cotton they need for the next 12 months. Let us assume that all the people of the world had contracted or bought all the shoes they need for the next 12 months. If you should auction off shoes and cotton every day, as we now auction off cotton every day at the cotton exchanges, of course the price of the cotton and the shoes would go down, everybody having contracted for what they wanted; and under the present device the seller can sell to his heart's content, knowing that there is not perhaps one chance in a hundred, or maybe in a thousand, that he will be called upon to deliver, because he has 10 options to the purchaser's none. He can deliver any one or all of the 10 grades as he sees proper. The purchaser not knowing what grades he will get, almost always sells out, causing the price of the contract to go lower; hence this drops down the price of spot cotton. I do not contend the purchaser should have the right to select the grade; this would be unfair on the other side. The grade or quality should be specified. This is fair—nothing more nor less. However, it would be more in keeping with common sense than to let the seller select the grade.

I do not know that we should limit the number of bales that should be sold. I confess frankly that I have not been able to decide what ought to be done along that line.

I do know, however, that if the contract were a definite contract, when maturity day came if the holder of the contract was not satisfied with the price and he could use the actual commodity and knew what he would get, he would say, "Deliver me the cotton"; but, not knowing the grade of the cotton that he would get, the seller could deliver him something that he could not use, and he would have to put that away, pay carrying charges, pay insurance, and endeavor to get rid of it if he could.

Mr. RANSDALL. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Louisiana?

Mr. DIAL. I yield.

Mr. RANSDALL. The Senator says that the exchanges are open for the seller. I should like to ask him if those exchanges are not equally open for the buyer?

Mr. DIAL. Most assuredly. There can not be a sale without a buyer. If he had the right to specify which one of the 10 grades, or even which class, the price would be much higher.

Mr. RANSDALL. There can not possibly be a sale without a buyer, can there?

Mr. DIAL. Certainly not.

Mr. RANSDALL. And are not those exchanges just as apt to stimulate buying as they are to stimulate selling?

Mr. DIAL. No; not in value.

Mr. RANSDALL. Is it not a matter of speculation in a way, men being influenced to buy or to sell, as the case may be, by their opinion of the rise or fall in value of the commodity?

Mr. DIAL. That would have some effect, of course; but no one would give as much for a contract not specifying the grade as he would for one which did.

Mr. RANSDALL. The Senator makes that statement, but I am not at all sure that he is correct about it.

Mr. DIAL. I think ordinary business experience would bear me out on that and verify my statement.

Mr. RANSDALL. The Senator made another statement that I should like to ask him about. He said that there were something over 100,000,000 bales sold on the New Orleans and New York Exchanges.

Mr. DIAL. I said contracts in 1920—128,000,000, according to my recollection.

Mr. RANSDALL. Yes. Can the Senator tell us how many of those 128,000,000 bales were what are designated in the trade as hedging or insurance contracts?

Mr. DIAL. No; I have not those figures. I said that of course a great deal of it was duplicate contracts; but they only delivered that year, according to my recollection, less than 350,000 bales on contracts.

Mr. RANSDALL. Is it not a fact that a great many hedging contracts are made in this cotton business?

Mr. DIAL. Yes; I am satisfied of it.

Mr. RANSDALL. What the trade calls hedging insurance; so they are not all purely matters of speculation?

Mr. DIAL. Oh, no.

Mr. RANSDALL. A great many of them are made for the purpose of legitimate insurance?

Mr. DIAL. Certainly. The Senator was not in the Chamber at the time when I said I was not opposed to exchanges. My contention is that we ought to fix a law that would be equal and equitable all around; a law like every other law—specific contract. I do not ask for any one-sided law whatever. I am not endeavoring to pass an extreme or unusual law, but am trying to correct what I see to be unjust execution of what the makers of the present law intended.

Mr. President, I hope to bring up this question at an early date and ask the Senate to vote on it. At present I surrender the floor. I am attempting to cooperate the wise principle of cooperative marketing into the law. Specify what your contracts are; sell and deliver what you specify.

NAVY DEPARTMENT APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee on page 6, beginning in line 23, which has been read.

The amendment was agreed to.

Mr. DILL. Mr. President, I desire to offer an amendment and ask that it be printed. I want to bring it up at a later date, and I give notice that I shall move to suspend the rules at a later date in order to have this amendment adopted.

The PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. DILL. I should like to have the amendment read.

The PRESIDENT pro tempore. The Secretary will read the proposed amendment for the information of the Senate.

The READING CLERK. After the figures "\$4,100,000" line 17, page 40, it is proposed to insert:

The Secretary of the Navy is hereby authorized, when directed by the President, to accept on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to such lands as he may deem necessary or desirable in the vicinity of Sand Point, Wash., approximately 400 acres, as a site for a naval air station.

Mr. DILL. Mr. President, I offer this amendment and ask that it be printed. At a later date I shall bring it up for action under the right to move to suspend the rules, for the reason that I want to bring before this body for consideration the situation regarding the real need for an airplane base for the Navy on the north Pacific coast.

The only airplane base to-day on the entire Pacific coast is at San Diego.

Mr. McCORMICK. Mr. President, may I interrupt the Senator?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the Senator from Illinois?

Mr. DILL. I have only a short statement to make, if the Senator will permit me. I shall take only a few minutes.

Mr. McCORMICK. That is all I wanted to know.

Mr. DILL. This proposed base is 1,500 miles north of San Diego. The city of Seattle and King County some years ago purchased enough land, added to what was already owned by the county, to make a total of something like 400 acres. They prepared a deed in fee simple and presented it to the Secretary of the Navy, offering to give this site to the Government for a naval airplane base. Legislation was introduced for the purpose of permitting the Secretary of the Navy to accept that base, but it failed of passage. A lease was then made for a period of 10 years, and to-day the Navy leases that area.

Last summer, when the battle fleet was in Puget Sound, there was no other place for the planes to be repaired or to be handled on any land area. The young men in charge of those planes were compelled to stand with the water knee-deep while they attempted to repair them as best they could. They erected a temporary tent under which they put some sort of a machine shop to handle the engines as best they could. The report of Captain Moses, in charge, has been made to the Navy Department, and it is favorable to this base. The admirals who have investigated the situation along the north Pacific coast report that Sand Point is the only suitable site along that entire coast for a base of this kind.

In this amendment, which I shall discuss more at length later, I am not asking for any appropriation to develop the site now; but I think the Government should own a naval air station in that vicinity, and this being the only available site, as testified to in the hearings before the House committee, it seems to me that before this bill is passed we ought to empower the Secretary and the President to accept this site and establish it as a naval plane base on the north Pacific coast.

It is a generally understood fact that if we have war in the future in which the Navy must be used the brunt will be on the Pacific coast; and when it is remembered we have the great Alaskan area to the north and all our Northwest cities and harbors to protect, and the entire north Pacific coast without any naval airplane base at all, I maintain that Congress should not permit this session to close without giving the President and the Secretary of the Navy authority to accept this base as an established naval plane location, and, in the future, develop it as a naval airplane base.

As stated previously, I shall not take more time at present on the subject, but at a later date I shall bring up the amendment and discuss it more in detail.

ISLE OF PINES TREATY

Mr. BORAH. Mr. President, I move that the Senate proceed to the consideration of the treaty with Cuba in open executive session.

Mr. HALE. Mr. President, will not the Senator consent to wait a few minutes until I can take up the committee amendments that are not objected to and get them out of the way? If there is any opposition to them, I will have them put over or yield to the Senator for the purpose of renewing his motion.

Mr. BORAH. Mr. President, it is not a matter of convenience to me; but Senators have given notice that they intend to speak upon the treaty, and I think we ought to go ahead.

Mr. McCORMICK. Mr. President, let me ask the Senator from Maine how long he thinks it will take him to conclude the consideration of the bill to-day?

Mr. HALE. I do not intend to finish the bill to-day, Mr. President. I simply would like to get through the committee amendments that are not objected to.

Mr. McCORMICK. How long would the Senator like to keep the bill before the Senate?

Mr. HALE. I do not think it will take more than 5 or 10 minutes, because anything that is objected to I will have go over.

Mr. McCORMICK. The time of the Senate is as elastic as a league in Mexico.

Mr. BORAH. That being true, I doubt if we will want to wait.

The PRESIDENT pro tempore. The Senator from Idaho moves that the Senate proceed to the consideration of executive business in open executive session.

The motion was agreed to; and the Senate, in open executive session and as in Committee of the Whole, resumed the con-

sideration of the treaty between the United States and Cuba, signed March 2, 1904, for the adjustment of title to the ownership of the Isle of Pines.

Mr. SWANSON. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Dale	Johnson, Calif.	Pepper
Ball	Dial	Jones, Wash.	Ralston
Bayard	Dill	Kendrick	Ransdell
Bingham	Fernald	King	Reed, Mo.
Borah	Ferris	McCormick	Reed, Pa.
Brookhart	Fess	McKellar	Sheppard
Broussard	Fletcher	McKinley	Shipstead
Bursum	George	McNary	Simmons
Butler	Gerry	Mayfield	Spencer
Capper	Gooding	Metcalf	Sterling
Caraway	Greene	Moses	Swanson
Copeland	Hale	Neely	Underwood
Couzens	Harris	Norris	Walsh, Mont.
Cummins	Heflin	Oddie	Warren
Curtis	Howell	Overman	Willis

The PRESIDENT pro tempore. Sixty Senators having answered to the roll call, there is a quorum present.

Mr. McCORMICK. Mr. President, for many years it has been difficult to secure the attentive consideration of the Senate to the treaty which is now before it. Senators seem to have considered it of little moment, although all Presidents since the submission of the treaty have urged its ratification. Most of those Presidents have been able Presidents. Whatever the quality and the capacity of the Secretaries of State may have been—learned lawyers, ignorant idealists, scribbling scribes, learned legalists—the Presidents, I repeat, without exception, have urged the ratification of the treaty.

The issue involved superficially may seem of little moment; but, after all, American statecraft, American justice, American honor, all are involved in its determination. If the treaty with Cuba, which has been before the Senate for a score of years, immediately concerns the nationality and the property of only a few thousand persons in the Isle of Pines, it ultimately concerns 200,000,000 people in the two Americas, and must ultimately fortify or impair the good will, the good faith, and the common confidence between the governments of those people.

The circumstances attending the present consideration of this treaty are peculiar and difficult. Certain as they are of the wise policy which calls for the ratification of the treaty, certain as they are that history, precedent, law, justice, and morality, all stand with them, none the less the supporters of the treaty know only too well that they are confronted by a formidable array, shall I say, of obstacles and adversaries. Caution and procrastination bid men shrink from deciding a question which the Senate has left undecided for a generation without any obvious hurt or advantage to any great number of people. They thus abet the lobby against the treaty. There is active lobbying against this treaty by Americans financially interested in the Isle of Pines. The upholders of the most righteous cause, sir, if it be unknown to the people, may well wince in the face of a long and well-organized lobby, the more so if some of its leaders are honest and bold.

The voluminous record placed before us shows that this treaty long since would have been ratified if 20 years ago a handful of American land speculators had not bought for a pittance vast tracts of land in the Isle of Pines, and sold them in small parcels, at fat profits, to good people in almost every quarter of the United States. This treaty long ago would have been ratified if those land sharks had not advertised to their dupes that the Isle of Pines had become American territory, not by any act of Congress, not by the explicit terms of any treaty, not in the expressed judgment of the Secretary of War, the Secretary of State, the Attorney General, or the Supreme Court, but in the sole judgment of one Meiklejohn, a forgotten assistant in the Department of War. Hence the lobbying by the good folk to whom was sold the land in the Isle of Pines upon misrepresentation.

If the long lapse of time and the lobby were not enough to confront us, we also face the great Senator from Idaho [Mr. BORAH], the most redoubtable opponent that any man may face on the floor of the Senate, one of the most learned, one of the most fearless, one of the most popularly beloved of Senators, and certainly the most eloquent Senator of our time. We face such opposition and such an adversary armed only with those old legal instruments which must be useless unless they engage the attention and touch the conscience of every Senator.

The chief of them Mr. President, are the protocol of peace signed by the plenipotentiaries of the United States and of Spain; the treaty of peace between the United States and

Spain; the Platt amendment; the treaties with Cuba; and the decision of the Supreme Court of the United States. I know very well, sir, that were it not possible to read into the protocol and the treaties a meaning—another and forced meaning—which I can not find in them, there would be no debate to-day and no division among Senators. That is why it is necessary to beg Senators carefully to examine the protocol and the treaties in the light of the history of Cuba before the treaties were made and in the light of the debate upon the Platt amendment and of the construction put upon the treaties alike by the executive servants of the American people and the Supreme Court of the American people.

I have heard attributed to the late President Palma, of Cuba, and the late Senator Davis, who was one of the signers of the treaty with Spain, the opinion that the Isle of Pines was under the sovereignty of the United States.

That is why we are in duty bound to consider the judgment of William R. Day, who as Secretary of State signed the protocol of peace and who as chairman of the peace commission signed the treaty of peace and who as a member of the Supreme Court concurred in the opinion of the Chief Justice that the Isle of Pines was not American but foreign territory, "as all the world knows."

I know that some will hold that under the Constitution there is no power by law or by treaty to alienate territory of the United States. That is why it is necessary to bear in mind that where territory has been jointly administered by a foreign government and the United States, or where title to territory has been disputed by a foreign government and the United States, more than once a foreign government has been confirmed by treaty in the possession of territory in which we had asserted or exercised sovereignty, as in the Samoan Islands, when the United States assumed sovereignty over Tutuila and yielded to Germany the government of the rest, as in the settlement of the frontier between Maine and New Brunswick, as in the limitation of the boundary in the Oregon Territory, which the American people would have pushed north—far north—demanding that the administration stand for the line of "Fifty-four, forty—or fight."

Let me first ask the attention of Senators to the articles of the peace protocol and of the treaty with Spain which are germane to the discussion:

(Protocol with Spain)

ARTICLE I

Spain will relinquish all claim of sovereignty over and title to Cuba.

ARTICLE II

Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies and also an island in the Ladrões to be selected by the United States.

ARTICLE IV

Spain will immediately evacuate Cuba, Porto Rico, and other islands now under Spanish sovereignty in the West Indies; and to this end each government will, within 10 days after the signing of this protocol, appoint commissioners, and the commissioners so appointed shall, within 80 days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each government will, within 10 days after the signing of this protocol, also appoint other commissioners, who shall, within 30 days after the signing of this protocol, meet at San Juan in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

I submit that we can not consider the terms of the treaty of peace except in connection with the terms of the protocol. How does the treaty read?

ARTICLE I

Spain relinquishes all claim of sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assure and discourage the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

ARTICLE II

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrões.

Senators will note the identical language of Article I of the protocol, and the first sentence of Article I of the treaty—

Spain relinquishes all sovereignty over and title to Cuba.

There is no difference in the meaning between the second article of the protocol and the second article of the treaty with Spain. Their purport and intention is obviously and surely the same. Both—

Cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield.

Mr. WILLIS. I do not desire to interrupt the Senator if it will interfere with the continuity of his statement, but I would like to have the opinion of the Senator as to the meaning of the language he has just read; for instance, "Porto Rico and the other islands of the Spanish Dominion in the West Indies." To what does that expression "other islands in the West Indies" refer if the Senator contends that the Isle of Pines is a part of Cuba? What "other islands" are there?

Mr. McCORMICK. If it applied to islands adjacent to Cuba, it would apply not only to the Isle of Pines but to all of the keys and islands which fringe the southern coast of Cuba.

Mr. RALSTON and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Illinois yield; and if so, to whom?

Mr. McCORMICK. I will yield first to the Senator from Virginia.

Mr. SWANSON. If the Senator will permit me, the Supreme Court has determined that question in fact. The opinion of the Supreme Court said the phrase "other islands" related to Vieques, Culebra, and Mona, and not to the Isle of Pines.

Mr. McCORMICK. I am going to deal with that afterwards.

Mr. BORAH. The Supreme Court could not have decided that question because it was not before them.

Mr. SWANSON. Whether they decided it or not, the Chief Justice said that is what was meant.

Mr. BORAH. But they did not decide it because when they came to render the decision they said the only question they decided was that this Government had treated as de facto the Government of Cuba.

Mr. SWANSON. Oh, the Senator is entirely mistaken.

Mr. McCORMICK. I yield now to the Senator from Indiana.

Mr. RALSTON. If I understood the Senator correctly, he is arguing that the Isle of Pines is a part of Cuba. I have before me the minority report made by former Senator Morgan.

Mr. McCORMICK. Has the Senator before him Senator Morgan's remarks of February 26 and 27, 1901?

Mr. RALSTON. If I have, I do not know it.

Mr. McCORMICK. No; but Senator Morgan's remarks then made contradicted the report subsequently made.

Mr. BORAH. I think the Senator goes too far.

Mr. RALSTON. Let me put my question.

Mr. BORAH. It seems to me the Senator from Illinois goes too far in saying that his remarks contradict the minority report later made. I think if he will read them he will find that Senator Morgan was of the opinion that we would not undertake to take the island from Cuba, but that did not militate against the position which he took that as a matter of fact the title was in the United States.

Mr. RALSTON. Now, Mr. President, if the Senator from Illinois will indulge me a moment—

Mr. McCORMICK. O Mr. President, yesterday I think I indulged the Senator so far as to agree that my interjection in his remarks should be omitted from his speech.

Mr. RALSTON. Yes; that is true. The Senator was very kind.

Mr. McCORMICK. I grant him every indulgence.

Mr. RALSTON. I find in the minority report to which I have referred this statement:

This understanding was sustained, positively, by the statement of one of our commissioners who negotiated the treaty of Paris and is acting chairman of this committee, Hon. William P. Frye, Senator from Maine. He stated to the committee that the commissioners of the United States did not regard the Isle of Pines as being a part of Cuba but as a separate island that was ceded to the United States in Article II of the treaty of Paris.

Mr. McCORMICK. Let me ask the Senator from Indiana how it happens that when a temporary government over Porto Rico and Cuba was established by the President of the United States the Isle of Pines was not then made subject to the jurisdiction of the government of Porto Rico instead of the government of Cuba? Will the Senator suggest a reason why?

Mr. RALSTON. Cuba, as I understand it, was contending at that time—

Mr. McCORMICK. Cuba, I may say, contended nothing at that time. There was no government in Cuba to contend.

Mr. RALSTON. It was contended by some parties at least that the Isle of Pines should have gone with Cuba, as I understand it.

Mr. McCORMICK. Does the Senator say the issue was raised at that time?

Mr. RALSTON. Not at the time to which reference is made by Senator Frye. I would not contradict him.

Mr. McCORMICK. No; nor within 30 days after the occupation of the Spanish Antilles by the American forces.

Mr. RALSTON. I can not answer the Senator. I have no information as to why it was not included.

Mr. McCORMICK. If the Senator will permit me to say it, he reminds me of the remark of Walter Pater that he would be happy if he could speak with the certainty of an undergraduate. He has not searched the record of the time.

Mr. BORAH. It is perfectly apparent as to why they did not include it or administer it under Porto Rico. We were administering Cuba at the time and geographically it was practicable to administer the Isle of Pines with it.

Mr. McCORMICK. The great Senator from Idaho associates the Isle of Pines then as geographically adjacent to and a part of Cuba?

Mr. BORAH. Oh, no. The Senator does not do so, but he does assert that the Isle of Pines is much nearer geographically to Cuba than it is to Porto Rico and has always been administered upon that basis.

Mr. McCORMICK. And was always so administered by the captain-general of Cuba.

Mr. BORAH. No; that is where the Senator is again mistaken. Cuba itself was at one time administered from Porto Rico.

Mr. McCORMICK. Let me ask the Senator if, after the establishment of the captaincy general of Cuba, the captain-general of Porto Rico ever administered the government of the Isle of Pines?

Mr. BORAH. I would not undertake to speak of the dates now, but I have them in my possession. The unit of administration was shifted from time to time; it was not uniform from the beginning down to the time that we took possession.

Mr. McCORMICK. Of course it was not uniform. There was a time when the captain-general, with his seat of government in Santo Domingo, was captain-general of Mexico, if I remember rightly.

Mr. BORAH. I do not think the Senator's memory is correct as to that.

Mr. WILLIS. Then does the Senator from Illinois think that that would make Mexico a part of Haiti?

Mr. McCORMICK. Was there not a single captain-general of the West Indies whose seat of government was in the city of San Domingo?

Mr. WILLIS. If the Senator propounds that inquiry to me, I will say, of course, there was; but the argument I understand him to be making is that because the governor of Cuba for a time was also the governor of the Isle of Pines that that made the Isle of Pines a part of Cuba. Then, if so, by the same token, Cuba and Florida and Mexico were a part of Santo Domingo and Haiti.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. McCORMICK. Yes; I yield to the Senator.

Mr. SWANSON. I desire to ask the Senator from Idaho [Mr. BORAH] and also the Senator from Illinois [Mr. McCORMICK] a question.

The first interpretation of the expression "Porto Rico and other islands now under Spanish sovereignty in the West Indies," as contained in the fourth article of the protocol, has been so pointedly and strikingly stated by the Senator who is now speaking that it ought to be almost conclusive in this discussion. He read the article that provided for the evacuation of Cuba and adjacent islands under arrangements made by one set of commissioners. Now it is sought to give a different interpretation to the language "shall immediately evacuate Porto Rico and other islands now under Spanish sovereignty in the West Indies," which is the very term—

Mr. BORAH. Mr. President—

Mr. SWANSON. Let me get through, and then I will yield to the Senator.

Here was an interpretation made 30 days after the treaty was signed as to what was meant by the phrase "and other islands now under Spanish sovereignty in the West Indies." The interpretation made at that time, before any dispute arose, was that the Isle of Pines was not included under the phrase

"other islands now under Spanish sovereignty in the West Indies," but the Isle of Pines was evacuated under the phrase "Cuba and adjacent islands." The Isle of Pines was not included among the islands that should be surrendered under the expression "Porto Rico and other islands now under Spanish sovereignty within the West Indies." All that was included under that phrase, all that was conveyed under that agreement of the protocol, related to those islands which should be evacuated to the commissioners at Porto Rico. The Isle of Pines was not so evacuated, and the construction at that time showed that the Isle of Pines was not included under the term "other islands under Spanish sovereignty within the West Indies."

Mr. BORAH. Mr. President—

Mr. McCORMICK. I yield to the Senator from Idaho.

Mr. BORAH. I am only going to say a word now, because I propose to cover the matter later in my remarks; but the very fact that the instrument which conveyed title did not say "Cuba and adjacent islands," while the articles with reference to administering the government did say "Cuba and adjacent islands" distinctly discloses that those who were dealing with the situation were dealing with it with reference to the transfer of title upon an entirely different basis from that upon which they were dealing with it for the purpose of government. Why did they not say in article 1 "Cuba and adjacent islands," as they did say when they came to administer the government? It was for the simple reason, as Senator Frye stated, that it was distinctly understood that the Isle of Pines was not to go as a part of the territory relinquished to Cuba.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Virginia?

Mr. McCORMICK. I yield.

Mr. SWANSON. The reverse of that is expressed in the opinion of Mr. Justice Day, who signed the treaty and who delivered the opinion and who was the first author of the expression "other islands now under Spanish sovereignty." The first time that expression appeared was in a letter to Cambon giving the terms, and before any question of self-interest had arisen that was the interpretation given to the expression "and other islands." The claim to the Isle of Pines is not made under the phrase "Cuba and adjacent islands," but under the expression in article 2, "Porto Rico and other islands now under Spanish sovereignty in the West Indies." Without that expression there would be no title.

Mr. McCORMICK. Mr. President, the colloquy between these two great lawyers is illuminating. It leads me to understand how a phrase in an indictment may result in the acquittal of a person who is brought to the bar of justice, although he is indubitably guilty. Metternich, I think it was, said that language was contrived to conceal thought.

Mr. KING. It was Talleyrand who said that.

Mr. McCORMICK. I stand corrected, of course.

Now, Mr. President, if I may be permitted to resume where the juriconsults left off, let me ask how we are to determine whether those "other islands" include the Isle of Pines. I say, confirming the assertion of the Senator from Virginia, first by examining the language of Article IV of the protocol, which provides that—

Spain will immediately evacuate Cuba, Porto Rico, and other islands under Spanish sovereignty in the West Indies, and * * * appoint commissioners * * * to meet at Habana * * * for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and other commissioners to meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

If other Senators have studied the geography of the Antilles as has the Senator from Virginia, they will learn that Viequez, Culebra, and Mona are veritably "other islands" than Porto Rico, while "adjacent" to the coast of Cuba and all along its southern shores is a fringe of scores upon scores of keys and islands, of which the Isle of Pines is the largest one of the most westerly and southerly.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. McCORMICK. I yield to the Senator.

Mr. NORRIS. The Senator has just read from Article IV of the protocol.

Mr. McCORMICK. I have.

Mr. NORRIS. If the Isle of Pines was a part of Cuba—and I think it is conceded that these other islands along the coast

of Cuba, and also islands along the coast of Porto Rico, are parts, respectively, of Cuba and Porto Rico—then I do not quite understand why in the protocol they should not have said "evacuate Porto Rico and Cuba" and stop at that point without using the expression "and other islands." Would not that have included the Isle of Pines? What did they put the other language in for? Does it mean anything?

Mr. McCORMICK. The Senator means the expression "adjacent islands."

Mr. NORRIS. Yes; "adjacent islands."

Mr. McCORMICK. "Islands adjacent to Cuba."

Mr. NORRIS. Let the Senator read the language. I do not recall whether it said "adjacent" or "other islands."

Mr. McCORMICK. It reads:

For the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands and also appoint other commissioners, who shall meet at San Juan, in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

Mr. NORRIS. Mr. President, the point I want to make—and I do not know whether it is of any particular value—is this: It has occurred to me that if the Isle of Pines is a part of Cuba and was a part of Cuba then and was not included, therefore, in the expression "Porto Rico and other islands in the Caribbean Sea," or whatever the language may be, why could they not have covered the whole thing by saying "shall evacuate Porto Rico and Cuba"? Would not that have taken them all in?

Mr. McCORMICK. Because there is a long fringe of islands along the southern coast of Cuba which were referred to as "adjacent islands."

Mr. NORRIS. I understand that, but the Senator claims, I think, that with perhaps the exception of the one island that was exempt because of either its size or its distance, or both, the adjacent islands around Cuba are a part of Cuba and the adjacent islands around Porto Rico are a part of Porto Rico, so that a deed of conveyance to Cuba or Porto Rico, respectively, would include those islands without enumerating them.

Mr. McCORMICK. The Senator knows that after all Mona is not adjacent to Porto Rico.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I do.

Mr. COPELAND. I should like to follow up the question asked by the Senator from Nebraska. If the Isle of Pines and the other islands adjacent to Cuba mentioned in the protocol are part of Cuba, why were they mentioned? Why did not the protocol say "the evacuation of Cuba" and stop there?

Mr. McCORMICK. Because the draftsmen of the protocol manifestly distinguished between Cuba and the islands adjacent thereto, administered under the captaincy general of Cuba, and Porto Rico and other islands theretofore subject to Spanish sovereignty.

Mr. COPELAND. They differentiated, and I think some of the rest of us do too. There certainly is a distinction, but if those islands had been considered a part of Cuba, the language of the protocol would have been "for the evacuation of Cuba," and the words "adjacent islands" would not have been added.

Mr. McCORMICK. I assume the Senator then would hold that all the other islands lying on the south coast of Cuba were ceded to the United States together with the Isle of Pines?

Mr. COPELAND. I am inclined to think they were, but since they are so unimportant, nobody has raised the question. However, of course, the same argument relating to the Isle of Pines would relate to those other islands.

Mr. McCORMICK. The geographical extent of the islands would weigh as nothing, then, in the Senator's mind as against justice?

Mr. COPELAND. I did not get the question. What is it?

Mr. McCORMICK. I say that the geographic extent of those other islands would weigh nothing in his mind as against justice?

Mr. COPELAND. If those other islands are included with the Isle of Pines and if it shall be established that the Isle of Pines is a possession of the United States, the question will rise in my mind whether or not the other islands should not be treated in exactly the same way.

What I say is said with a desire to be eminently fair to Cuba. I went around the country and made speeches demanding intervention long before we did intervene, and I speak as a friend of Cuba; but I am convinced, from the language

quoted by the Senator, that the men who wrote that protocol made a distinction between Cuba and the islands adjacent thereto.

Mr. McCORMICK. And Porto Rico and the other islands?

Mr. COPELAND. And Porto Rico and the other islands. There was different language used. That is not the same situation.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield.

Mr. WILLIS. I dislike to intrude on the Senator's time—Mr. McCORMICK. The Senator does not intrude on my time. If he will induce the Chair to rule that we may presently call a quorum of those who have not studied the question, I shall be pleased to review the argument which I have made.

Mr. WILLIS. If the Senator will permit me, what I wanted to say was in further response to the inquiry made by the Senator from New York. It seems to me here is the very pertinent, and to my mind conclusive, answer to his inquiry: The constitution of Cuba, where it defines its own limits, specifically says that Cuba shall consist of the island of Cuba and the adjacent islands; and that same constitution specifically and in terms exempts the Isle of Pines. It seems to me that is the direct answer.

Mr. COPELAND. By the adoption of the Platt amendment.

Mr. WILLIS. It was in the Platt amendment. It is in the Cuban constitution.

Mr. COPELAND. By reason of the Platt amendment it was written into the constitution.

Mr. WILLIS. Probably so; but there is the fact, making a distinction between the two.

Mr. McCORMICK. Mr. President, let me ask the Senator from New York if he has read the debate upon the Platt amendment, and more especially the remarks of Senator Morgan upon the motion to strike out Article VI, dealing with the Isle of Pines?

Mr. COPELAND. I have, yes; and I will say further in answer to the Senator from Illinois that there is a great mystery about this whole business, and we will debate this thing all the spring, and we will not know then just what was intended.

Mr. McCORMICK. Of course there is also some mystery about the League of Nations and the Geneva protocol—

Mr. COPELAND. I have understood so.

Mr. McCORMICK. And perhaps some mystery about the attitude of some of our Democratic Senators toward both.

Mr. COPELAND. If I may answer that, I am more concerned with the attitude of the Democratic voters. There is some mystery about them, too.

Mr. McCORMICK. Ah! There is a Daniel come to judgment, a wise young man.

Mr. SWANSON. Mr. President—

Mr. McCORMICK. I yield to the Senator from Virginia.

Mr. SWANSON. The Senator from Nebraska is not here now; but I wanted the Senate to understand that when the treaty of peace was made they did not convey to the United States any adjacent islands under Article II. All the United States got was Porto Rico and other islands under Spanish sovereignty. I want to make that clear. If "the adjacent islands" meant anything, the Isle of Pines was never conveyed when the treaty of peace was made; but they did convey Porto Rico and other islands under Spanish sovereignty. Now the question arises of interpreting "other islands under Spanish sovereignty"; and, as the Senator from Illinois in his speech has strikingly said, an interpretation was given to the exact language within 30 days when they evacuated it, and the interpretation given by an executive act was that it did not convey adjacent islands; but "other islands" did not include, even before this controversy arose, the Isle of Pines.

I want the Senate to understand that the United States never got adjacent islands. She got nothing except Porto Rico and other islands; and the United States decided when the evacuation came, in that very language, that Porto Rico and other islands could be surrendered to commissioners. Her contemporaneous interpretation was that "other islands" did not include the Isle of Pines.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Ohio?

Mr. McCORMICK. I yield to the Senator. I was about to suggest to the Senator that the priests who preach against imperialism in the Caribbean none the less have wide phy-lacteries.

Mr. WILLIS. Mr. President, of course nobody understands what that means; but I rose at this time—and then I shall not interrupt the Senator further—simply to say this, which I shall express within my own time: I utterly disagree with the interpretation put upon this matter and the interpretation put upon the decision of the Supreme Court by the Senator from Virginia. I did not want it to go that anybody is agreeing to that. I shall not interrupt the Senator further. He has been very kind, and I thank him.

Mr. McCORMICK. I admire the loyalty of the Senator to his fellow Ohioan, Mr. Meiklejohn.

Mr. WILLIS. He is not from Ohio, so far as I know. I should not be ashamed if he were.

Mr. SWANSON. Mr. President, since the Senator has been interrupted, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The roll was called, and the following Senators answered to their names:

Ashurst	Dial	McCormick	Reed, Mo.
Ball	Dill	McKellar	Reed, Pa.
Bayard	Ferris	McKinley	Sheppard
Bingham	Fess	McLean	Shortridge
Borah	Fletcher	McNary	Simmons
Brookhart	George	Mayfield	Smoot
Broussard	Gooding	Means	Spencer
Bursum	Hale	Metcalf	Sterling
Butler	Harris	Moses	Swanson
Cameron	Harrison	Neely	Underwood
Capper	Hedin	Norris	Walsh, Mass.
Caraway	Howell	Oddie	Walsh, Mont.
Copeland	Johnson, Calif.	Overman	Warren
Couzens	Jones, Wash.	Pepper	Willis
Curtis	Kendrick	Ralston	
Dale	King	Ransdell	

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is unavoidably absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. McCORMICK. Mr. President, as I have suggested before, the question before the Senate is a question of history and of law, and if justice is to be done by the Senate, Senators must follow the argument and review the facts. Therefore, I venture to repeat the fourth article of the protocol of peace antecedent of the treaty of peace with Spain and the treaties with Cuba, in which it was set forth that the commissioners representing Spain and the United States should meet at Havana "for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands," and also appoint other commissioners "who shall meet at San Juan in Porto Rico for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies."

There is a distinction, I submit, not only made plain by the terms of the protocol, but manifest in the geography of the Antilles between Porto Rico and the other islands, on the one hand, and Cuba and the islands adjacent thereto on the other. Hence the language of the protocol and the treaties.

I have not been able to find upon whose authority or opinion Mr. Meiklejohn pronounced the Isle of Pines American territory, although it is established that he acted without the knowledge of his chief, the Secretary of War, and, indeed, absolutely contrary to the opinion of his chief. However, we do have the legal and administrative history of the Isle of Pines prior, first, to the Meiklejohn letters, written on January 13 and January 15, 1900; and, second, prior to the publication of the two maps by the Commissioner of the Land Office, which were the only means by which the American land companies calmed the qualms and quieted the doubts of those whom they persuaded to buy land on the Isle of Pines on the score that it was under the American flag.

Mr. SIMMONS and Mr. COPELAND addressed the Chair.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from Illinois yield; and if so, to whom?

Mr. McCORMICK. I yield to the Senator from North Carolina.

Mr. SIMMONS. I understood the Senator to say a moment ago that he did not know of any authority possessed by Mr. Meiklejohn to render this opinion, and probably did not know of any contradiction of that authority. I wanted to call the Senator's attention to the fact that the then Secretary of War, Mr. Elihu Root, in reply to a very long letter—

Mr. McCORMICK. Explicitly denied that Mr. Meiklejohn consulted him.

Mr. SIMMONS. Denied that he had consulted him and stated positively that he had not.

Mr. McCORMICK. Mr. Meiklejohn did consult Mr. Root, Judge Magoon, the law officer of the War Department, subsequently denied that he had been consulted.

Mr. BORAH. When did Mr. Root write that letter with reference to the Meiklejohn letter?

Mr. SIMMONS. I will try to get the information for the Senator.

Mr. McCORMICK. He wrote it subsequent to the date of the Meiklejohn letter.

Mr. BORAH. That was after the change came over their dreams.

Mr. FLETCHER. That letter of Secretary Root was written in December, 1903.

Mr. McCORMICK. It remains to be discovered who hypnotized Mr. Meiklejohn.

Mr. COPELAND. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I do.

Mr. COPELAND. I am not sure but that the Senator from North Carolina asked this question—I could not hear him—but I wanted to inquire if the Senator from Illinois had formed any opinion as to the attitude of President McKinley in regard to this matter?

Mr. McCORMICK. Candidly, I think the administration withheld formal decision as to sovereignty over the Isle of Pines and compelled Cuba so to do in order the better to bargain with Cuba for a naval base.

Mr. COPELAND. There is no doubt in the mind of the Senator that Mr. McKinley apparently authorized Mr. Hermann to place the Isle of Pines on the map as American property?

Mr. McCORMICK. I think our Government was making ready to drive a hard bargain with Cuba for the greatest naval base in the Caribbean.

Mr. COPELAND. Does the Senator think that the United States can be put in the position ever of having driven a hard bargain with Cuba? We spent a half billion of our money, and some lives, and went to a lot of inconvenience. I do not think that Cuba, or the friends of Cuba, can ever believe that the United States has treated Cuba badly at any time, and certainly we are not now to have a war with Cuba over this particular thing, which, under the constitution of Cuba itself, is stated to be a thing which must be determined by treaty.

Mr. McCORMICK. Under the constitution of Cuba, by requirement of the Congress of the United States.

Mr. COPELAND. After all, it is in the constitution.

Mr. McCORMICK. But as a condition sine qua non to the recognition of the independence of Cuba by the United States.

Mr. COPELAND. I am sure the Senator remembers—and yet I think he is too young, perhaps, to remember that period—the great gratitude of the Cuban people, and their willingness to cooperate with us in any way possible.

Mr. McCORMICK. I think I am not too young to remember that Cuban leaders were loath to cede to us coaling stations on the island of Cuba.

Mr. COPELAND. Does the Senator think that there was some secret diplomacy, and that these two instruments—the treaty and the agreement as to coaling stations—were interlocking, in a sense?

Mr. McCORMICK. Will the Senator repeat that question?

Mr. COPELAND. If I understood the Senator from Virginia [Mr. SWANSON], he emphasized in his speech what was emphasized when the matter was up originally, that these two instruments—the agreement relating to the coaling stations and the treaty which was unconfirmed—were interlocking, one dependent on the other.

Mr. McCORMICK. Which treaty?

Mr. COPELAND. The treaty which was unconfirmed, the treaty which is now pending.

Mr. McCORMICK. Of course, they were interlocking.

Mr. COPELAND. Then the consideration which was written into that agreement was fraudulent, so far as the public was concerned, and that was not the real consideration. Is that the view of the Senator? I think it is Article I of the agreement which states that the consideration for the transfer of Guantanamo and the other coaling station should be the payment of \$2,000 a year in gold on the part of the United States.

Mr. McCORMICK. Yes; and it was also a consideration that we confirm Cuba in her sovereignty over the Isle of Pines.

Mr. BORAH. No—

Mr. WILLIS. That is not stated.

Mr. COPELAND. I do not think that is an accurate statement.

Mr. McCORMICK. It is set down in one of the treaties.

Mr. WILLIS. I think the Senator is mistaken as to that. If he will look at the instruments he will find that it is not referred to or suggested at all in either the contract for the lease or the lease.

Mr. McCORMICK. Oh, no; but in the—

Mr. COPELAND. In the pending treaty, if the Senator has article 2 of the pending treaty.

Mr. WILLIS. Oh, yes; but it is not in the contract for the lease or in the lease.

Mr. COPELAND. Let me ask about that. If we do not own the Isle of Pines, if we have no claim upon it, how can that be made a valuable consideration for the carrying out of a contract? And if we ever come to the ratification of this treaty I hope the Senator from Illinois will see that that is stricken from the treaty. It should be put on higher grounds than that we are relinquishing our right and title in consideration of a transaction which occurred 20 years ago, which is already being paid for at the rate of \$2,000 a year.

Mr. McCORMICK. If the treaty fails of ratification the Senator then would abandon Guantanamo?

Mr. COPELAND. I think not. We paid for Guantanamo.

Mr. McCORMICK. How much?

Mr. COPELAND. Two thousand dollars a year. Does the Senator think the consideration is too small?

Mr. McCORMICK. Will the Senator capitalize on that basis—weigh it against the price we paid for the Danish West Indies?

Mr. COPELAND. Is there not some considerable difference in area?

Mr. McCORMICK. There is, and all to the advantage of Guantanamo.

Mr. COPELAND. If the Senator feels, and if other Senators feel, that the consideration given for those coaling stations was inadequate, I will join the Senator or Senators in voting to Cuba whatever amount of money is necessary to make up for it; but I do stand here and protest, if the Senator will permit me to say it, against the idea that there was any collusion or conspiracy or any secret preparation in the writing of this treaty. These men had no business to interlock these two transactions, and for my part I do not reflect upon them, because I do not think they had any such intention, and I do not think that is what did happen.

Mr. WARREN. Mr. President, if the Senator will allow me to refer to what we may owe Cuba, Cuba owes us over \$7,000,000 now.

Mr. COPELAND. I am aware of that.

Mr. WARREN. And has owed it for years.

Mr. COPELAND. And I hope we will deal very generously with Cuba as regards that.

Mr. BORAH. Mr. President, the Senator from Illinois has stated with great candor, as is characteristic of the Senator from Illinois, that he is of the opinion—

Mr. McCORMICK. It would be unwise to be other than candid in the presence of the Senator from Idaho.

Mr. BORAH. I stated my proposition with sincerity. The Senator has stated that we held out the Isle of Pines in order to drive a hard bargain for a naval base at Guantanamo. I say that he has stated that, and it requires great courage and candor to state it.

Mr. McCORMICK. Perhaps I would have been more accurate to say the better to drive a bargain.

Mr. BORAH. The Senator is a master of language, but his language in this instance does not change the principle.

Mr. McCORMICK. No; and I think the debate at the time bears out the language I use now.

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. McCORMICK. I have been interrupted so often that once more will not discomfit me.

Mr. NORRIS. Of course, if the Senator prefers that I do not—

Mr. McCORMICK. I yield to the Senator.

Mr. NORRIS. I am really going over old ground, but to me it is interesting. I would like, if there is any way to do it, to clear up the mystery referred to by the Senator from New York [Mr. COPELAND]. I believe he is justified in making that reference because to me there is a mystery about it. It was argued at length by the Senator from Virginia [Mr. SWANSON] in his very able argument the other day that at the time we got the coaling station there our negotiators in reality agreed with the Cuban negotiators that if they gave us the coaling station we would give them the Isle of Pines.

Mr. McCORMICK. Do not the two treaties bear the same date?

Mr. BORAH. No.

Mr. NORRIS. Be that as it may, I have inquired of many, and among others the Senator from Idaho, whether there was any record of that kind of deal or understanding, and I am told there is not a sentence in any of the official correspondence or any agreement or anything from anybody that there was such an agreement. I hope it is true that there was not such an agreement, because so far as I am concerned, while it was offered as an argument and is offered as an argument in favor of the approval of the treaty, it drives me the other way. If our negotiators made that kind of agreement they made it without any authority and the only effect now of producing that argument here is, as I look at it, to coerce Senators into voting for the ratification of the treaty. That is more important to me than the value of the Isle of Pines. I want to give it to Cuba if she is entitled to it, but I am not willing unless there is some evidence of it to believe that that was part of the deal and that it was kept out of all official correspondence. Our officials, from the President down, must have been into it, if that be true, and they have not said a word about it officially.

Mr. McCORMICK. We all very well remember the speech of the Senator from Nebraska upon the shameful provision of the treaty of Versailles for the occupation of Shantung by a foreign power. That speech stirred the conscience of the American people and aroused the Christian conscience of the world. I ask the Senator to read not only the document sent to us by the State Department but to read the debate of February 25 and days following—

Mr. KING. Of what year?

Mr. McCORMICK. 1901.

Mr. NORRIS. That was the debate on this treaty?

Mr. McCORMICK. Upon the Platt amendment. Let him then ask himself if there was not a singular silence on the part of those who insisted upon the adoption of the Platt amendment, including Article VI, touching the Isle of Pines. Let me say candidly that when I addressed myself to a study of the question, I had no prejudice one way or another. I had a perfectly open mind, and I have been compelled by the study I have been able to give to the debates of 1901, and of the treaties and the correspondence to conclude that in honor we are bound to confirm Cuba de jure in her de facto government over the Isle of Pines.

Mr. NORRIS. I have great respect for the Senator's judgment and his opinion after he has made a study that I have not been able to make. Does the Senator mean to tell us now that he is led to favor the approval of the treaty because he believes that at the time the Platt amendment was negotiated there was a secret understanding that we would give the Isle of Pines to Cuba? Does he reach that conclusion from the debates?

Mr. McCORMICK. I reach the conclusion that the majority of the Senate believed that we would be in a better position to negotiate for the lease of Guantanamo and Bahia Honda if we required Cuba to accept Article VI of the Platt amendment and leave the determination of the sovereignty over the Isle of Pines to determination by subsequent treaty.

Mr. NORRIS. If the Senator will permit me again, that does not answer the question that I am anxious to have answered by somebody who has studied it. I repeat, does the Senator reach the conclusion, from his study and examination of the debate on and negotiations that took place with regard to the Platt amendment and the coaling station, that we agreed or that our negotiators secretly agreed that if the Cubans would agree to it we would give them the Isle of Pines?

Mr. McCORMICK. I can not find that in the written record.

Mr. NORRIS. That is what I can not find. It is a mystery to me.

Mr. McCORMICK. I will ask the Senator, who wants to do justice, to read with open mind the debate of that time; to read the remarks of Senator Morgan, who wished to strike out of the amendment Article VI, because, he said, if it were included we never would secure sovereignty over the Isle of Pines.

Mr. NORRIS. Article VI was the one referring to the Isle of Pines?

Mr. McCORMICK. Yes; and those who supported the Platt amendment, including Article VI, practically speaking, said nothing in reply to Senator Morgan. They had the votes, and did not have to answer.

Mr. BORAH. I dislike to trespass upon the time of the Senator again, but I want to make this observation and then I shall not interrupt him again.

If it be true that the Isle of Pines was separated and divorced from Cuba in violation of the provision of Article I for the purpose of utilizing it as a part of the consideration for

a naval base, and that afterwards it did enter into and become a part of the consideration for a naval base, there must be evidence of that fact in the State Department. There is no possible justification for asking the Senate of the United States to ratify a treaty, the principal argument for which is that we are in honor bound by reason of the transaction to ratify it, without giving the Senate the facts in the State Department concerning it. It is absolutely inconceivable that such a transaction could have taken place and such a consideration could have existed without there being conversation, communication, and facts preserved in the State Department. We are entitled to have from the State Department the facts. At least we ought to be permitted here to know the facts before we vote, regardless of how we vote.

Mr. McCORMICK. I understand from the public prints that the archives of the State Department presently will be readily accessible to the Senator from Idaho.

Mr. BORAH. I am afraid not before I get a chance to have a vote on this treaty.

Mr. COPELAND. Mr. President, will the Senator from Illinois yield?

Mr. McCORMICK. I yield to the Senator from New York.

Mr. COPELAND. I think the Senator said, before he was interrupted by the Senator from Nebraska, that we are in honor bound to vote for the treaty. Did I understand him correctly?

Mr. McCORMICK. I feel that I am in honor bound to vote for the treaty.

Mr. COPELAND. Would the Senator mind telling the Senate why perhaps other Senators are in honor bound to do it?

Mr. McCORMICK. Each Senator is the judge of his own duty. I am not the keeper of the conscience of any Senator and do not pretend to be.

Mr. COPELAND. I am quite convinced that the eloquent tongue of the Senator might readily convince me at least. It might not convince anybody else. I would like to know some reason why I am in honor bound or whether perhaps the Senator will tell why he feels that he is in honor bound to do it? As for myself, I do not think that we are unjust to Cuba or unjust to anybody if we fail to agree that this particular treaty should be ratified. I can not see, for myself, why anybody is in honor bound to vote for it. I might be convinced that there are various reasons why it should be done, but I do not see how the question of honor enters at all into the transaction, because we are all honorable men.

Mr. FLETCHER. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. McKellar in the chair). Does the Senator from Illinois yield to the Senator from Florida?

Mr. McCORMICK. I yield.

Mr. FLETCHER. In the speech of the Senator some suggestion was made as to what was in the minds of the negotiators when the lease at Guantanamo was made and when the treaty was proposed. There is this fact that seems to me to have considerable force. The agreement to lease or sell to the United States land, areas, water connections, and all for a coaling station was made first in the agreement of February 16, 1903. Following that agreement was the lease made July 2, 1903. That lease was negotiated through Mr. Squiers, the representative of the United States, and by Mr. Montes, the representative of Cuba. On the same day that lease was executed those same negotiators, Squiers representing the United States and Montes representing Cuba, entered into the first treaty, which is identical with the treaty now pending before Congress, which treaty was not ratified because it had to be ratified by its terms within seven months.

Mr. McCORMICK. I am grateful to Senators for making my speech for me.

Mr. FLETCHER. I thought that had a bearing on the inquiry of the Senator from Nebraska. He seems to want information, and the Senator from Idaho, too, calls upon the State Department to furnish evidence of any sort of understanding or agreement that may have been in the minds of the negotiators of the instrument.

Mr. McCORMICK. Mr. President, I will say to the Senator from Nebraska that if he will search the documents sent us from the State Department and the debates as well, I believe that he will feel as I do that there is a consideration involved in the confirmation of Cuban sovereignty over the Isle of Pines.

Mr. President, it is undisputed by any authority which has been brought to my attention that under the Spanish Crown the Isle of Pines was subject to the captaincy general of Cuba after its creation, and during the latter years, before the war

with Spain, was administered as part of the Occidental Province of Cuba or of Habana Province in Cuba. The history of the Cuban administration of the Isle of Pines began, as I say, not later than the creation of the Spanish captaincy general of Cuba, and indeed reaches back almost to the remote and romantic days when the British buccaneers blessed great Elizabeth and in the same breath damned the Spaniards, established English right and might as they had English freedom at home and English empire abroad, all the while they ravished, blithely and lawlessly, the galleons of Spain. The Cuban Government of the Isle of Pines or the government of the Isle of Pines by the captain general of Cuba is nothing new; it is very old.

According to the terms of the treaty with Spain, Cuba, including the Isle of Pines, by the act of our own administrators, became subject to the provisional government created by the United States. Under that Government the Isle of Pines continued to be administered, as before the war, as an integral part of the territory of Cuba. Its native inhabitants were counted as Cubans in the census of Cuba taken by the military authorities of the United States.

Therefore, I submit to the Senator from Nebraska [Mr. Norris], we have now come to the point where, confronted by the historical administration of the Isle of Pines as a part of Cuba, alike by the Spanish Crown and by the American military authorities, opponents of this treaty must give up attempting to prove title by Melkjohn's letters and claim the assertion of American authority over the Isle of Pines by virtue principally of Article VI of the Platt amendment.

Mr. NORRIS. Mr. President, may I now interrupt the Senator from Illinois?

Mr. McCORMICK. Certainly.

Mr. NORRIS. The Senator has made an argument that to my mind has great weight. It seems to me it is perfectly logical. No matter what I might think about it, I would have great faith in the argument the Senator is now making. What threw doubt into my mind more than anything else was the other argument, that we ought to confirm this treaty because of a secret agreement that was understood to be made by our negotiators and the Cuban negotiators that resulted in giving us a coaling station in the Isle of Pines. To my mind it is almost offensive when I am asked to do a thing of that kind. If the Senator's argument now being made is good—and I think it is good; it has a great effect upon my mind and my judgment, at any rate—assuming it to be good, how can we then back up and say, "Here is something that was already Cuba's; it has been hers all the time, but we made the Cubans believe that we were going to take it away from them and we got a valuable consideration out of them in the way of a coaling station."

To my mind that would be a dishonorable thing for our representatives to do. If we have done that, if we have secured a coaling station without adequate and fair compensation for it, and have taken advantage of the Cubans in that way, we ought yet to make amends for it, not by giving them something that was theirs all the time, and that was theirs honestly and of right, but we ought to pay them or even to get out of our coaling station and surrender it to them.

Mr. McCORMICK. Mr. President, unless our engagement in the war with Spain and our expulsion of Spain from the Antilles was sufficient consideration to require Cuba to cede us a coaling station, the Senator will find in the record no other adequate consideration, as he will see if he will permit me to continue my argument to the end. I do not want to pass judgment on the diplomacy of that time, but it seems to me to have been born in the mind of some one that after the discovery that the Isle of Pines afforded no desirable and secure anchorage, it would be wise to establish a lien upon the Isle of Pines and to compel Cuba under duress to acknowledge that lien against the day when the naval authorities would find, as they did find, the greatest naval harbor in the West Indies and which we hold and administer as if it were our own.

Mr. NORRIS. If we have—and I presume we do have—such a harbor, I should very much dislike to believe that we obtained it by any sharp methods of diplomacy over Cuba or that we concocted a claim for the Isle of Pines that had no foundation to it. If the Senator's other argument is correct, and we did not have any claim to it, but by that means we secured this valuable acquisition, we ought yet to apologize for having done so and make good.

Mr. McCORMICK. The Senator very well knows that in moments of difficult diplomatic negotiation threats are made or actions are taken which are tantamount to threats. He recalls the instance when a telegram was sent from Paris to make the *George Washington* ready to sail for America.

Mr. NORRIS. It is too bad she did not sail, in accordance with the threat.

Mr. McCORMICK. Now, I say that, searching for the truth, I have read the debate in the Senate, particularly during February 26 and 27, 1901, to discover the interpretation which the Senate at that time—recurring to the protocol with Spain—put upon Article VI of the Platt amendment, which reads, as follows:

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

The Senate then required that the Isle of Pines, which had been administered under the Captaincy General of Cuba, and under the American military government as an integral part of Cuba—

should be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

I say if Senators will study that debate, and more especially the address of Senator Morgan on page 3041 of the CONGRESSIONAL RECORD of that session, and the colloquy with his colleague from South Dakota, Senator Pettigrew, I think, on page 3049 of the RECORD, they will be driven to the conclusion that Senator Morgan obviously believed the United States ought to acquire coaling stations and naval harbors wherever available along the whole length of the Antilles, from St. Thomas to westernmost Cuba.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. McCORMICK. Would it be inconvenient for the Senator to ask the question a little later?

Mr. COPELAND. I will be glad to do so.

Mr. McCORMICK. Second, that Senator Morgan vainly sought to have the Senate strike Article VI from the Platt amendment because, undisputed by any of his colleagues, he voiced the conviction that the inclusion of Article VI in the Platt amendment would forever make impossible the acquisition of the Isle of Pines as American territory.

Mr. COPELAND. Mr. President, I hope the Senator will yield.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from New York?

Mr. McCORMICK. I yield.

Mr. COPELAND. I am sure the Senator wants to be fair. I, too, have read the debate to which the Senator has referred, and my reading makes it very clear to me that Senator Morgan had no doubt that we owned the Isle of Pines. He said—

Mr. McCORMICK. Senator Morgan made it equally clear that if Article VI were included in the Platt amendment we would never acquire sovereignty to the Isle of Pines.

Mr. COPELAND. No; I do not agree to that.

Mr. McCORMICK. Well, there would be no debate to-day if the protocol, the treaty, and the debates of 20 years ago meant the same thing to all Senators. I trust the Senator from New York will attribute to me the same integrity of intention which I attribute to him.

Mr. COPELAND. Ah, Mr. President, I do absolutely, because I know the high character of the Senator.

Mr. McCORMICK. This would not be a vexed question and this treaty would not have been pending before the Senate for a score of years if there had been a unanimity of opinion.

Mr. COPELAND. But what Senator Morgan said was that—

For the purpose of giving the conferees a chance to save the Isle of Pines to the United States without a row with Cuba, I propose to strike out the sixth proposition of the amendment.

Mr. McCORMICK. Mr. President, on page 3040, in which is printed Mr. Morgan's speech of February 26, the Senator will find the following language, in which first Senator Morgan quotes Article VI of the treaty regarding the Isle of Pines, and then adds:

Mr. President, that is giving away the Isle of Pines to Cuba if she can beat us in a negotiation for it hereafter, when this treaty gives us as clear a title to the Isle of Pines as it does to Porto Rico or the Philippines.

Then follows, on page 3149, the passage which the Senator from New York quotes.

Mr. Pettigrew—not Mr. Pettus—in reply to Senator Morgan said:

Mr. President, I hope that amendment—

To strike out Article VI—

will not be adopted. It seems to me this is the most apparent illustration of the Anglo-Saxon greed for land ever presented in a legis-

lative body. The Isle of Pines is a sand bank, uninhabited, utterly worthless, without a harbor, and although it has been heretofore a part of Cuba under the Government of Cuba, governed from Cuba, and regarded by all the world as a part of Cuba, the same as the other islands along its coast, we propose to present a proposition for a contention over this worthless sand bar, simply to illustrate our greed for something that is not worth having, because it is a piece of the earth's surface.

Mr. COPELAND. I hope the Senator will read the reply of Mr. Morgan immediately following.

Mr. McCORMICK. I am about to do so.

Mr. Morgan said:

Mr. President, the Government of the United States could throw away a great deal of territory which the Senator from South Dakota thinks is not worth having, I have no doubt; but he is very much mistaken, or else I am, and the geographers are very much mistaken, if the Isle of Pines is not a very valuable possession, if it has not got a good harbor with deep water—

Consider such a statement when St. Thomas is useless as an anchorage for a battle fleet to-day. Now, I had great respect for Senator Morgan. He could address the Senate without splitting his infinitives or the ears of his colleagues.

Senator Morgan went on—

if it is not a very important naval station, and if it is not also the only place in which the United States can defend herself against the supposed power of Great Britain at Santa Lucia and at Jamaica.

That is farcical, although Senator Morgan did not know it at the time. As a naval base, the Isle of Pines is worth nothing; but once its citrus fruits are admitted duty-free in competition with those of Florida and of California, the land values there will double; hence the lobby in behalf of the defeat of this treaty.

I think the rest of the statement of the Senator is not germane to our discussion. It is only to be noted, let me say to the Senator from Nebraska, that the motion to strike out was lost without debate and without roll call.

It is an inescapable deduction from the debate, not only from what was said but from what was left unsaid as well, and from the terms of the treaties of 1903, by which the United States secured from Cuba impregnable Guantanamo, the greatest naval harbor in the Caribbean, that Article VI was included in the Platt amendment the better to enable the President of the United States to bargain, to negotiate with Cuba for the strategic military and naval base in the Caribbean which American policy had sought for generations.

American statesmen for decades preceding the war with Spain had vainly hoped for and fruitlessly sought safe anchorages and naval bases in waters like those of Samana Bay in the Dominican Republic, or Mole St. Nicholas in Haiti. With the end of the provisional government of Cuba, the hour had come when there could be secured for the American battle fleet not Samana, which was too open to the seas, nor Mole St. Nicholas, which was too confined; not the narrow and unsafe anchorages which officers of the United States had found in the Isle of Pines, but Bahia Honda and the impregnable and almost landlocked harbor of Guantanamo, the Gibraltar of the Caribbean.

Let me interject: Post-Jutland fleets can find no refuge at St. Thomas. When we were negotiating for the evacuation of the Dominican Republic, Dominicans were surprised to find that we no longer cared for rights at Samana. Why? Because at Guantanamo we had a harbor which more than any other dominated the trade routes to Panama, and for military purposes reduced Jamaica to a satrapy of the United States, administered at the expense of the Jamaican people and the British Government.

Thus it was that the framers of the Cuban constitution were required to agree, under Article VI of the Platt amendment adopted in 1901, that the title to the Isle of Pines should be "left to future adjustment by treaty." Thus we held the Isle of Pines in pawn against the day when we might confirm Cuban title to it in exchange for the lease to us of those two Cuban harbors of Bahia Honda and Guantanamo.

The language of all the treaties signed on the same day in 1903 confirms me in this view, in which I was so ably instructed by one of the Senators on the other side.

First, from the treaty relating to naval bases:

The United States of America agrees and covenants to pay to the Republic of Cuba the annual sum of \$2,000, in gold coin of the United States, as long as the former shall occupy and use said areas of land by virtue of said agreement.

All private lands and other real property within said areas shall be acquired forthwith by the Republic of Cuba.

The United States of America agrees to furnish to the Republic of Cuba the sums necessary for the purchase of said private lands and properties, and such sums shall be accepted by the Republic of Cuba as advance payment on account of rental due by virtue of said agreement.

The remaining articles deal with the mixed administration of the area.

From the treaty relating to the Isle of Pines, identical with this one except that in the first instance there was a limit fixed for its ratification, let me read:

The United States of America relinquishes in favor of the Republic of Cuba all claim of title to the Island of Pines, situate in the Caribbean Sea near the southwestern part of the Island of Cuba, which has been or may be made in virtue of Articles I and II of the treaty of peace between the United States and Spain, signed at Paris on the 10th day of December, 1898.

This relinquishment on the part of the United States of America of claim of title to the said Island of Pines is in consideration of the grants of coaling and naval stations in the island of Cuba heretofore made to the United States of America by the Republic of Cuba.

Mr. NORRIS. Is the Senator reading from the treaty now?

Mr. McCORMICK. I am.

Mr. NORRIS. Is that in the pending treaty?

Mr. McCORMICK. Yes.

Article III protects citizens of America—

who, at the time of the exchange of ratifications of this treaty, shall be residing or holding property in the Island of Pines.

The Senate 20 years ago ratified the treaty by which we acquired military control over the Cuban harbors, but for 20 years has held in abeyance, unrejected and unratified, the treaty to confirm Cuba in her sovereignty over the Isle of Pines as part of the consideration in payment for the two harbors.

We have been all unconsciously guilty of a breach of faith. We have taken something and have failed to pay the price we promised to pay for it.

With due respect to the opinions of others, I invite the attention of the Senate to the oft-quoted letters of Elihu Root, the first of which he wrote on December 18, 1903, as Secretary of War, and the second on November 27, 1905, as Secretary of State. I read:

I never advised prospective purchasers of property on the Isle of Pines, but when the subject was first brought to me, early in 1900, I directed a reply to be made to all inquiries that the question of the status of the Isle of Pines was one which it was not the province of the War Department to answer. I have since learned that a former Assistant Secretary of War had previously, without my knowledge or authority, directed an Assistant Adjutant General to say that the island belonged to the United States. I never thought so. It had been for several centuries, in common with the hundreds of other islands surrounding the coast of the mainland of Cuba, included in the political division of the Spanish Kingdom known as Cuba. It had long been a part of the Province of Habana, which was a political division of Cuba. I think it was included under the terms of "Cuba" as used in the treaty of Paris, and, therefore, not in the description "Porto Rico and other islands." I think at the time the treaty was made it was as much a part of Cuba as Nantucket is a part of Massachusetts.

The second letter reads, in part:

The island is lawfully subject to the control and government of the Republic of Cuba, and you and your associates are bound to render obedience to the laws of that country so long as you remain on the island * * *. The treaty now pending before the Senate, if approved by that body, will relinquish all claim of the United States to the Isle of Pines. In my judgment the United States has no substantial claim to the Isle of Pines. The treaty merely accords to Cuba what is in accordance with international law and justice.

Let me draw the attention of the Senator from Nebraska to this passage:

At the time of the treaty of peace which ended the war between the United States and Spain, the Isle of Pines was and had been for several centuries a part of Cuba. I have no doubt whatever that it continues to be a part of Cuba, and that it is not and never has been territory of the United States. This is the view with which President Roosevelt authorized the pending treaty, and Mr. Hay signed it, and I expect to urge its confirmation.

Mark you what follows in Mr. Root's letter:

Nor would the rejection of the pending treaty put an end to the control of Cuba over the island. A treaty directly contrary to the one now pending would be necessary to do that * * *.

That is the interpretation which the Treasury Department put upon the treaty with Spain in levying customs duties upon imports from the Isle of Pines.

The case finally reached the Supreme Court April 8, 1907, which, in *Pearcy v. Stranahan*, found that the Isle of Pines was, governmentally speaking, de facto an integral part of Cuba at the time the treaty of Paris was made, a fact which "all the world knew," and, further, that the Isle of Pines was not one of the "other islands" ceded to the United States by Article II of the treaty.

Mr. President, the importance of the decision by Chief Justice Fuller, in my opinion, is enhanced very greatly by the fact that the Hon. William R. Day, associate justice of the court in 1907, and who concurred in the decision, had been Secretary of State when the Spanish War was ended, had signed the protocol of peace, and had served as chairman of the commission appointed to negotiate the treaty of peace with Spain. Senators surely will not challenge Justice Day's understanding of the treaty of Paris or of the protocol of August 12, 1898, concluding hostilities, of which Article IV provided for the evacuation of "Cuba and the adjacent Spanish islands" on the one hand, while on the other hand the second article of the treaty speaks of "Porto Rico and other islands now under Spanish sovereignty in the West Indies."

Since the question has been raised, I think by the Senator from Ohio [Mr. WILLIS], there remains to be considered, if any think it worthy of consideration, the argument that we have discharged our obligation to Cuba for the cession or lease to us of sovereign rights in the harbors of Guantanamo and Bahia Honda by the payment of \$2,000 a year rental under the treaty of July, 1903.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Montana?

Mr. McCORMICK. I yield.

Mr. WALSH of Montana. The Senator has referred to the views of Justice Day, one of the negotiators of the treaty, in concurring in the opinion of the Supreme Court, and reference has been made to the views of the other members of the commission which negotiated the treaty, some of them in favor of the contention made by those opposing the treaty, and others—

Mr. McCORMICK. Some others in doubt.

Mr. WALSH of Montana. Others in doubt. Does it not seem likely that at the time the treaty was negotiated none of the negotiators had given consideration or paid any attention to the question in issue, namely, whether the Isle of Pines was or was not a part of Cuba?

Mr. McCORMICK. It seems very clear, especially in the light of the terms of the protocol, that they weighed that whole question.

Mr. WALSH of Montana. What I mean is, no doubt the members of the Supreme Court, when the thing was argued before them, gave specific attention to this question, and it has been carefully canvassed upon the floor of the Senate here as to whether it was or was not a part of the protocol; but it occurs to me that the commissioners gave no attention to that specific question at the time the treaty was being negotiated.

Mr. McCORMICK. There was no allusion to it.

Mr. WALSH of Montana. So the mere declaration on the part of one Member that he understood that it was included does not seem to me to have any very persuasive significance, either the one way or the other.

Mr. McCORMICK. I think the Senator's point is admirably taken.

I was about to say that the rental of \$2,000 a year would capitalize the greatest military harbor on the trade route to Panama at \$50,000.

Mr. WALSH of Montana. If the Senator will pardon me further about that other matter, reference is made to the letter of Meiklejohn, and it is also claimed that President McKinley, although the evidence with respect to that is rather dubious in character, gave directions that this island be marked on the map as a part of the territory of the United States. But who is there who can tell us that President McKinley gave to this question one-tenth part the consideration that has been given to it right here in the Senate? What did President McKinley know about it? What investigation did he ever make as to whether this island was or was not to be included in the island of Cuba?

Mr. McCORMICK. I was about to contrast the capital value of \$50,000 of Guantanamo under the terms of the lease with the \$25,000,000 which we paid for St. Thomas, which,

since the Battle of Jutland, is insufficient and inadequate, and therefore useless and valueless as a harbor or base for any battle fleet. That would mean that we would pay the richest little Government in the world \$2,000 a year for the sovereign use of one of the most important naval harbors in this hemisphere. Under this ludicrous construction Cuba would have ceded to us her most formidable harbor for an addition of 1 or 2 per cent to her annual revenue. That is ridiculous. The sum is a nominal consideration for the lease for which the real consideration is clear title by treaty to the Isle of Pines.

Mr. President, I have taxed the patience of Senators in order thus to present to the Senate the historical fact that the Isle of Pines has been an integral part of the territory of Cuba from remote time until this very hour and was administered as such even during the administration of Cuban affairs under Governor Wood prior to the adoption of the Cuban Constitution and later under Governor Magoon during the period of American intervention. I have laid before the Senate the evidence which has convinced me that in the Supreme Court decision Justice Day, who as Secretary of State negotiated the protocol and the treaty of peace, held with Secretary Root that the Isle of Pines was politically and geographically appurtenant to Cuba and not one of the "other islands" which, together with Porto Rico, Spain ceded to the United States.

Finally, as conclusive evidence of the general opinion of the Senate 20 years ago, I have cited the refusal of our predecessors in this body to strike from the Platt amendment Article VI, under which they purposed to drive a bargain with Cuba for Guantanamo. I have shown that the bargain was made; that there is no constitutional impediment to its fulfillment, which has been delayed and delayed and again delayed largely because of the influence exercised upon the Senate by the American owners of land in the Isle of Pines. I do not wonder that, beholding the peace, profit, and progress which have inured to the people of Porto Rico under the American flag, those landowners seek an American government for the Isle of Pines or for the fruits of their orchards a free American market. I do not wonder that they would fly over courthouse and schoolhouse the Stars and Stripes and no other flag. There are Americans who would have none but the American flag fly north of the Isthmus of Panama, where now fly a dozen other flags of European sovereigns or American Republics.

Senators, we must bear in mind that the government in the Isle of Pines to-day is a Cuban government, as it was a Cuban government 20 years ago and five times 20 years ago. It is not enough to reject this treaty to bring the Isle of Pines under the Government of the United States. Another treaty, absolutely contrary to this in purpose, must be negotiated and ratified by the Presidents and Senates of two countries before that can be. If there be any who say that the ratification of this treaty will jeopardize the property or the personal rights of America in the Isle of Pines, I would answer, first, that they have exercised their rights for 20 years under Cuban Government; and, secondly, that the Americans in the island of Cuba itself are ten times as many as in the Isle of Pines and that the total of American capital invested in the island of Cuba is well-nigh a hundredfold as great as the amount invested in the Isle of Pines.

Let us act upon this treaty in the interest of that justice which insures solidarity and peace among the American nations.

Justicia * * * es la paz del pueblo.

Runs an old Spanish proverb—

Justicia * * * es la paz del pueblo.

Let us in common candor and simple honesty vote upon this treaty to ratify it or to reject it. It has been pending before the Senate for over a score of years; four times it has been reported from the Committee on Foreign Relations; it is well-nigh 20 years since Senator Foraker, with incontrovertible fact and remorseless logic, answered the opponents of the treaty, and yet year after year we have failed to face the issue. Let the Senate, if it will, in bad conscience and with good courage reject the treaty or let it with good conscience and equal courage ratify the treaty. Policy, justice, honor, all call for the ratification of the treaty. The historical, legal, and moral title of Cuba to the island is so clear, that rejection of the treaty by the Senate will not be construed as a mere difference between the Senate and the Executive, but rather as a callous indifference on our part to the rights of a sister Republic unable to assert those rights against the mighty colossus of the North. The defeat of this treaty will not impair the beneficial influence of the United States in Cuba but it will injure us in all Latin America. It will make difficult the friendly exer-

cise of those good offices through which by persuasion we have been able to contribute to internal and international peace in the other Republics to the south of us. At the very moment when American marines are withdrawing from Nicaragua, and almost at the hour when by treaty we are to confirm their wise withdrawal from the Dominican Republic, it will give color to the charges made against us, that we have little regard for the rights of the weaker States in the Caribbean; it will add greatly to the number of those in Latin America who voice their distrust of us. The failure of the treaty must inevitably harm our credit and commerce in this hemisphere, but far worse impair our influence and challenge our honor in all the other Republics of the Americas.

Mr. HALE. Mr. President, I move that the Senate return to legislative session.

The motion was agreed to, and the Senate resumed legislative session.

NAVY DEPARTMENT APPROPRIATIONS

Mr. HALE. I ask that the Navy appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10724) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1926, and for other purposes.

The reading of the bill was continued.

The next amendment of the Committee on Appropriations was, under the heading "Bureau of Navigation, Transportation, and Recruiting," on page 10, line 2, before the word "shall," to strike out "vessels" and insert "transports," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy and Naval Reserve Force while traveling under orders, and officers performing travel by Government-owned transports shall only be entitled to reimbursement of actual and necessary expenses incurred.

Mr. HALE. I ask that the committee amendment be disagreed to.

The amendment was rejected.

Mr. HALE. I move, on page 10, line 2, after the word "vessels," to insert the words "for which no transportation fare is charged."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 10, line 2, after the word "vessels," insert "for which no transportation fare is charged," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy and Naval Reserve Force while traveling under orders, and officers performing travel by Government-owned vessels for which no transportation fare is charged shall only be entitled to reimbursement of actual and necessary expenses incurred.

The amendment was agreed to.

The next amendment was, under the subhead "Recreation for enlisted men," on page 11, line 7, after the word "prescribe," to strike out "\$500,000" and insert "\$350,000," so as to read:

For the recreation, amusement, comfort, contentment, and health of the Navy, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$350,000: *Provided*, That the amount paid from this appropriation for personal services of field employees shall not exceed \$64,000.

The amendment was agreed to.

The next amendment was, under the subhead "Naval War College, Rhode Island," on page 15, at the beginning of line 15, to strike out "\$91,800" and insert "\$106,000"; in line 17, after the name "War College," to strike out "\$1,200" and insert "\$2,000"; at the end of line 19, to strike out "\$100,000" and insert "\$115,000"; and at the end of line 23 to strike out "\$62,500" and insert "\$70,466," so as to make the paragraph read:

For maintenance of the Naval War College on Coasters Harbor Island, including the maintenance, repair, and operation of one horse-drawn passenger-carrying vehicle to be used only for official purposes; and care of ground for same, \$106,000; services of a professor of international law, \$2,000; services of civilian lecturers, rendered at the War College, \$2,000; care and preservation of the library, including the purchase, binding, and repair of books of reference and periodicals, \$5,000; in all, \$115,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, and messenger service for the fiscal year ending June 30, 1926, shall not exceed \$70,466.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Ordnance, Ordnance and Ordnance Stores," on page 25, at the end of line 10, to strike out "\$10,125,000" and insert "\$10,500,000," so as to read:

For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy classification of accounts"; for machinery and machine tools; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed \$10,000 for minor improvements to buildings, grounds, and appurtenances, and at a cost not to exceed \$750 for any single project; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools during the fiscal year 1926 at ordnance stations at Indianhead, Md.; Dahlgren, Va.; and South Carolina, W. Va., \$10,500,000.

The amendment was agreed to.

The next amendment was, under the heading "Public works, Bureau of Yards and Docks," on page 37, line 3, after the figures "\$25,000," to insert a semicolon and "for improvements to building No. 138, \$20,000; in all \$45,000," so as to read:

Navy yard, Portsmouth, N. H.: Repairs to coaling plant, \$25,000; for improvements to building No. 138, \$20,000; in all, \$45,000.

The amendment was agreed to.

The next amendment was, under the heading "Naval Academy," on page 41, after line 15, to insert:

Until June 30, 1926, if for any cause the number of civilian professors or instructors employed in the United States Naval Academy on January 1, 1925, shall be reduced after such latter date, no commissioned officer of the Navy shall be detailed or allowed to teach the subject or subjects theretofore taught by such civilian professors or instructors whose service connection with the academy may have been so terminated: *Provided*, That in reducing the number of civilian professors no existing contract shall be violated: *Provided further*, That no civilian professor, associate, or assistant professor, or instructor shall be dismissed, except for sufficient cause, without six months' notice to him that his services will be no longer needed.

Mr. KING. May I inquire of the Senator in charge of the bill if I properly interpret the amendment just read? Does the amendment prohibit the utilization of any naval officer, no matter what his qualifications may be, for instruction at the Naval Academy at Annapolis if there has been, within a limited period of time, some civilian employed to teach the same subject?

Mr. HALE. This is the same provision that was in the bill last year. It provides that no civilian instructor shall be discharged and his place taken by a naval officer as an instructor.

Mr. KING. I would like to inquire the reason for the provision. It seems to me if a naval officer is more competent to teach a subject than a civilian, his services should be utilized even though it might result in dispensing with the services of a civilian.

Mr. HALE. For a long time there has been a tendency to cut off civilian instructors at the Naval Academy at Annapolis. The number of civilian instructors has gradually fallen off year by year. Last year the number was 77 at the time the bill was taken up for consideration. This year the number has been reduced to 63. The provision is put in so that civilian instructors shall not be discharged and their places filled by officers. The committee considered that keeping on the civilian instructors was important. If we put in this provision a change will be made from the text of the bill as the House passed it. We can then take the matter up in conference and probably get some more satisfactory wording than that now proposed.

Mr. KING. It occurs to me that the proper way to handle the subject would be to employ civilian instructors with respect to certain branches which should be taught; for instance, Latin, Greek, and the higher mathematics.

Mr. HALE. I think that is now done.

Mr. KING. As to matters that deal with the Navy that come particularly within the instruction which must be given the young men to equip them for the naval service, obviously officers are more competent than civilian instructors to teach.

Mr. HALE. That is quite true, and all those subjects are taught now by naval officers. The committee did not feel that all the civilian instructors should be crowded out. There is a disposition on the part of some people to supplant civilian instructors almost altogether with naval officers, and the committee felt that that ought to be guarded against. Therefore we proposed the amendment.

Mr. KING. I am not in sympathy with that movement.

Mr. HALE. I know the Senator is not.

Mr. KING. It seems to me that as many officers as possible should be kept at sea. We do not educate them in the Naval Academy to spend all their time on shore duty. Unfortunately there is too much of a tendency among some naval officers to seek soft berths on shore and not to do their full duty at sea.

The PRESIDING OFFICER (Mr. WILLIS in the chair). The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 42, at the end of line 5, to strike out "\$154,800" and insert "\$155,020," and in line 11, after the word "grounds," to strike out "\$131,794" and insert "\$131,574," so as to make the paragraph read:

For pay of employees at rates to be fixed by the Secretary of the Navy, as follows: Administration, \$155,020; department of ordnance and gunnery, \$16,952; departments of electrical engineering and physics, \$17,727; department of steamship, \$8,880; department of marine engineering and naval construction, \$47,922; commissary department, \$188,993; department of buildings and grounds, \$131,574; in all, \$567,068.

The amendment was agreed to.

The next amendment was, on page 43, line 26, to strike out "\$1,000,000" and insert "\$1,026,500," so as to make the paragraph read:

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes, fuel for heating and lighting bandmen's quarters; pay of inspectors and draftsmen; music and astronomical instruments; and for pay of employees on leave, \$1,026,500.

The amendment was agreed to.

The next amendment was, under the heading "Marine Corps, mileage," on page 45, at the beginning of line 17, to strike out "vessels" and insert "transports," so as to make the paragraph read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$125,000: *Provided*, That officers performing travel by Government-owned transports shall only be entitled to reimbursement of actual and necessary expenses incurred.

Mr. HALE. I ask that the committee amendment be disagreed to.

The amendment was rejected.

Mr. HALE. I now move on page 45, line 17, after the word "vessels" to insert the words "for which no transportation fare is charged."

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 45, line 17, after the word "vessels" insert the words "for which no transportation fare is charged," so as to read:

For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$125,000: *Provided*, That officers performing travel by Government-owned vessels for which no transportation fare is charged shall only be entitled to reimbursement of actual and necessary expenses incurred.

The amendment was agreed to.

The next amendment was, on page 45, after line 23, to insert:

No officer of the Navy or Marine Corps, while on leave of absence engaged in a service other than that of the Government of the United

States, shall be entitled to any pay or allowances for a period in excess of that for which he is entitled to full pay, unless the President otherwise directs.

Mr. KING. Why is the President given authority to augment the pay of an officer?

Mr. HALE. This is the same provision that was put in the bill last year. It was put in at the time that General Butler was placed in charge of the police force in Philadelphia, and the provision was to take care of his case. I think it was done at his own request, because he did not wish to have any question come up about his receiving double pay.

Mr. KING. The Senator can assure us that it is not the purpose of the provision to enable officers of the Navy to obtain from the Treasury of the United States pay above that which is fixed by law?

Mr. HALE. No; it is the purpose of the committee to prevent anything of the sort.

Mr. KING. I am not so sure that the words "unless the President otherwise directs" might not permit the Chief Executive to grant additional compensation.

Mr. HALE. I do not think there is any chance that the President will use his authority for any such purpose.

Mr. KING. I have no objection to granting the President the authority if leave of absence is given, as in the case of General Butler, and issue an order which would entitle him to receive, as in that case, from the city of Philadelphia compensation in excess of that allowed by law; but I do not think that the President ought to be permitted to issue an order that will increase the compensation which is to be paid out of the Treasury of the United States.

Mr. HALE. The committee amendment has the same wording as the provision contained in the bill last year, and I can assure the Senator there is no question of what he has suggested being done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Increase of the Navy," on page 49, at the end of line 10, to strike out "\$6,944,000" and insert "\$7,444,000," so as to read:

The Secretary of the Navy may use the unexpended balances on the date of the approval of this act under appropriations heretofore made on account of "Increase of the Navy," together with the sum of \$7,444,000 which is hereby appropriated for the prosecution of work on vessels under construction on such date, the construction of which may be proceeded with under the terms of the treaty providing for the limitation of naval armament; for continuing the conversion of two battle cruisers into aircraft carriers, including their complete equipment of aircraft and aircraft accessories, in accordance with the terms of such treaty; toward the construction of two fleet submarines heretofore authorized, to have the highest practicable speed and greatest desirable radius of action and to cost not to exceed \$5,300,000 each for construction and machinery and \$850,000 each for armor, armament, and ammunition; for the settlement of contracts on account of vessels already delivered to the Navy Department; for the procurement of gyro compass equipments, and for the installation of fire-control instruments on destroyers not already supplied; for the installation of fire-control apparatus on the *Colorado* and *West Virginia*; and for the completion of armor, armament, ammunition, and torpedoes for the supply and complement of vessels which may be proceeded with as hereinbefore mentioned.

The amendment was agreed to.

Mr. HALE. I have two or three amendments which I was instructed by the committee to offer. I present the first of those amendments.

The PRESIDING OFFICER. The Secretary will state the amendment.

The READING CLERK. On page 2, after line 24, it is proposed to insert the following:

The Secretary of the Navy is authorized to fix the rates of compensation of civilian employees in the field services under the Navy Department to correspond, so far as may be practicable, to the rates established by the classification act of 1923 for positions in the departmental services in the District of Columbia, notwithstanding the salary restrictions in other acts which limit salaries to rates in conflict with the rates fixed by the classification act of 1923 for the departmental services.

Mr. SWANSON. To that amendment I desire to offer an amendment. There is a question as to whether the committee amendment would affect the wages of employees in the Navy Department which are fixed by wage boards. Some think it will and some think it will not. The purpose of the amend-

ment which I wish to offer to the committee amendment is to provide that those wages shall not be so affected. Those employees were omitted from the classification act, but the action now proposed, of course, is subsequent to that. I offer an amendment designed to carry out the purpose I have indicated. It will certainly do no harm. I have made inquiries and there is some doubt as to the provision without the amendment which I suggest. The amendment which I offer to the committee amendment is to add a proviso, as follows:

Provided, That this is not to be construed as applying to those employees whose compensation, prior to July 1, 1925, has been revised from time to time by wage boards to conform with that paid in the vicinity.

I offer that amendment to the committee amendment and hope the Senator in charge of the bill will accept it.

Mr. HALE. I have already read the amendment the Senator has offered to the committee amendment, and I accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FLETCHER. Mr. President, there is an amendment which I submitted to the committee to which I am sure there is no objection, and I ask the Senator if he will not allow that amendment to be considered and acted upon now?

Mr. HALE. I did not intend to take up any amendment to-day except committee amendments and those which I was authorized to offer on behalf of the committee. If the Senator from Florida will wait until a little later we can take up his amendment.

Mr. FLETCHER. Very well.

Mr. HALE. I send to the desk another amendment, and I ask that it be adopted.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 11, line 9, after the word "employees," it is proposed to insert "exclusive of temporary services."

Mr. KING. I will ask the Senator what is the object of that amendment?

Mr. HALE. The limitation of \$64,000 refers to salaries under "Recreation of the Navy," but under this head a good deal of outside work is done where it is necessary to employ people temporarily. It was not intended to include these temporary employees in the limitation. The amendment to the amendment is put in as a safeguard.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine on behalf of the committee.

The amendment was agreed to.

Mr. HALE. I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 15, line 6, after the word "consent" and before the colon, it is proposed to insert:

Provided further, That until June 30, 1926, members of the Volunteer Naval Reserve may, in the discretion of the Secretary of the Navy, be issued such articles of uniform as may be required for their drills and training, the value thereof not to exceed that authorized to be issued to other classes of the Naval Reserve Force and to be charged against the clothing and small stores fund: *Provided further*, That until June 30, 1926, of the Organized Militia as provided by law, such part as may be duly prescribed in any State, Territory, or for the District of Columbia shall constitute a Naval Militia; and until June 30, 1926, such of the Naval Militia as now is in existence, and as now organized and prescribed by the Secretary of the Navy under authority of the act of Congress approved February 16, 1914, shall be a part of the Naval Reserve Force, and the Secretary of the Navy is authorized to maintain and provide for said Naval Militia as provided in said act: *Provided further*, That upon their enrollment in the Naval Reserve Force, and not otherwise until June 30, 1926, the members of said Naval Militia shall have all the benefits, gratuities, privileges, and emoluments provided by law for other members of the Naval Reserve Force; and that, with the approval of the Secretary of the Navy, duty performed in the Naval Militia may be counted as active service for the maintenance of efficiency required by law for members of the Naval Reserve Force.

Mr. KING. I inquire of the chairman of the committee whether or not the item covered by the amendment just offered ought not properly to come in the Naval Reserve bill, which is on the calendar, and which will doubtless be considered before we adjourn?

Mr. HALE. The reason for putting this amendment into this bill is this: The Naval Reserve bill, to which the Senator refers, may not be enacted at this session, and if it shall not

become a law and the legislation now proposed shall not be passed, certain organizations connected with the Naval Reserve will be thrown out entirely. This is the same provision that was in the last naval appropriation bill.

Mr. KING. Is it in harmony with the provisions of the Naval Reserve bill?

Mr. HALE. Yes.

Mr. KING. And it does not increase the expense to the Government beyond that provided in the Naval Reserve bill?

Mr. HALE. It does not. It merely takes care of these organizations for the next fiscal year, as they are at present taken care of in the event that the Naval Reserve bill does not become a law at this session of Congress.

Mr. KING. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maine in behalf of the committee.

The amendment was agreed to.

Mr. HALE. I offer a further amendment.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 34, line 11, after the numerals "\$375,000," it is proposed to insert the following:

Provided, That the Secretary of the Navy is hereby authorized to construct necessary additional buildings at the naval hospitals at Pearl Harbor, Hawaii; Chelsea, Mass.; Newport, R. I.; New York, N. Y.; League Island, Pa.; Norfolk, Va.; Great Lakes, Ill.; Puget Sound, Wash.; Guam; and Canacao, P. I., at a total cost not to exceed \$715,500, which total expenditure for the purposes aforesaid shall be made from the naval hospital fund.

The amendment was agreed to.

Mr. HALE. That is all the committee amendments for the present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 11308) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes; and also that the House had receded from its disagreement to the amendments of the Senate Nos. 7 and 8 to the said bill and concurred therein.

Mr. WARREN. Mr. President, I should like to take a moment of the time of the Senate to refer briefly to the message which has just been received from the House informing the Senate that that body has agreed to the conference report on the urgent deficiency appropriation bill. I merely wish to say that the action of the House completes the appropriation bill, the conference report on which was under discussion yesterday, the House having yielded to the Senate on the two matters which went back to the House in disagreement.

WORLD COURT

Mr. SHIPSTEAD. Mr. President, I shall delay the Senate for only a few minutes for the purpose of discussing a subject that seems to have caused a great deal of confusion in the Senate and in the minds of many people. I refer to the present status of legislation pertaining to the question of adherence of the United States to the so-called World Court of International Justice.

I am receiving letters and telegrams every day asking me, as a member of the Foreign Relations Committee, to do my part to get some action by the Committee on Foreign Relations to report upon this question to the Senate. These letters and telegrams are plainly inspired by persons traveling through the country addressing meetings of various kinds and urging upon various people the necessity of writing or telegraphing members of the Foreign Relations Committee to take some action upon the World Court. These letters and telegrams carry the implication that many people are resentful of the lack of action on this question and, for some reason unknown to me, they have been led to believe that the fault lies with the Committee on Foreign Relations. As a matter of fact, the Committee on Foreign Relations has already acted upon the matter. In the last session of Congress a subcommittee of the Foreign Relations Committee, of which I was a member, was selected by the chairman for the purpose of conducting public hearings upon this question. These public hearings were held. The committee was in session for many days and gave every person favoring this kind of legislation and desiring to be heard an opportunity to be heard. The testimony at the hearings was printed and made available to members of the full committee and of the Senate. The Committee on Foreign Relations then

discussed the various proposals for the World Court and finally reported to the Senate Senate Resolution 234, a resolution advising the adherence of the United States to the existing Permanent Court of International Justice with certain amendments.

As a member of the committee who up until this time has been unable to see how this proposed piece of legislation will accomplish what its proponents claim for it, I voted to report the resolution to the Senate in order that the question could be taken up on the floor of the Senate, debated, and brought to an early vote. I took this action because I believe that any question in which there is such a manifest interest on the part of many people should have an opportunity to be debated and voted upon on the floor of the Senate at the earliest possible moment. I have been waiting for Senators supporting the proposition of adherence to the World Court to move consideration of the resolution in the Senate. This has not been done. The resolution is now upon the Senate Calendar. It is there by action taken by the Committee on Foreign Relations.

Their work as a committee is finished. Further action is now up to the Senate. If Members of the Senate who favor action by the Senate upon the question of World Court do not act very soon, I intend to move the consideration of "Senate Resolution 234, a resolution advising the adherence of the United States to the existing Permanent Court of International Justice, with certain amendments."

Such a motion when made will give every Senator who desires action upon this question the opportunity to record his vote in favor of such action. If a majority of Senators favor such action they will vote for that motion, and that motion will prevail. This will give the proponents of the World Court of International Justice with the Harding-Hughes reservations an opportunity to move to substitute that plan or any other pet measure for a world court for Senate Resolution No. 234. In fact such a motion will bring before the Senate the entire question of the world court in all its variations.

I want to say that I shall make this motion solely for the purpose of complying with the requests of those who desire an early determination of this question, but reserve the right to oppose, according to my conscience and best judgment any or all of the various proposals that may be considered by the Senate.

EXECUTIVE SESSION

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, January 19, 1925, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 17 (legislative day of January 15), 1925

COMMISSIONER OF IMMIGRATION

Norval P. Nichols, of Porto Rico, to be commissioner of immigration at the port of San Juan, P. R.

JUDGE OF POLICE COURT OF THE DISTRICT OF COLUMBIA

John P. McMahon, of the District of Columbia, to be judge of the police court, District of Columbia. (Mr. McMahon is now serving under recess appointment.)

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONEL

Lieut. Col. James Millard Little, Infantry, from January 11, 1925.

TO BE LIEUTENANT COLONEL

Maj. Edward Jay Moran, Infantry, from January 11, 1925.

TO BE MAJOR

Capt. Walter Wood Hess, jr., Field Artillery, from January 11, 1925.

TO BE CAPTAIN

First Lieut. Richard Allen, Quartermaster Corps, from January 11, 1925.

TO BE FIRST LIEUTENANTS

Second Lieut. Wayne McVeigh Pickels, Quartermaster Corps, from January 11, 1925.

Second Lieut. Owen Russell Marriott, Field Artillery, from January 11, 1925.

PROMOTION IN THE NAVY

MARINE CORPS

Maj. Gen. John A. Lejeune to be major general commandant of the Marine Corps for a period of four years from the 5th day of March, 1925.

POSTMASTERS

ARIZONA

Raymond W. Still to be postmaster at Tempe, Ariz., in place of H. E. Lalrd. Incumbent's commission expired June 5, 1924.

CALIFORNIA

Claude C. Hayes to be postmaster at Salida, Calif., in place of S. K. Rolefson, resigned.

Denver C. Jamerson to be postmaster at Cottonwood, Calif., in place of V. H. Rice. Incumbent's commission expired February 11, 1924.

COLORADO

Clare Baker to be postmaster at Rico, Colo., in place of R. R. Breder, resigned.

CONNECTICUT

Walter H. DeForest to be postmaster at Derby, Conn., in place of P. L. Shea. Incumbent's commission expired June 5, 1924.

FLORIDA

John E. Brecht to be postmaster at Fort Myers, Fla., in place of B. C. Foxworthy, resigned.

GEORGIA

James H. McWhorter to be postmaster at Wrightsville, Ga., in place of J. H. McWhorter. Incumbent's commission expired July 28, 1923.

William A. Adams to be postmaster at Fitzgerald, Ga., in place of W. A. Adams. Incumbent's commission expired February 4, 1924.

Charles P. Graddick to be postmaster at Barnesville, Ga., in place of C. P. Graddick. Incumbent's commission expired August 29, 1923.

INDIANA

James J. Speck to be postmaster at Greentown, Ind., in place of D. A. Riley. Incumbent's commission expired June 5, 1924.

IOWA

George H. Falb to be postmaster at Elgin, Iowa, in place of T. J. Capper. Incumbent's commission expired August 5, 1923.

Leslie E. Kislingbury to be postmaster at Alta, Iowa, in place of N. A. Christensen, removed.

KANSAS

Ulysses E. Van Dyke to be postmaster at Woodston, Kans., in place of W. M. Stehley. Incumbent's commission expired June 4, 1924.

August Bernasky to be postmaster at Ingalls, Kans., in place of August Bernasky. Office became third class January 1, 1925.

MASSACHUSETTS

Elizabeth C. Kelley to be postmaster at Thorndike, Mass., in place of K. T. Loftus, resigned.

MINNESOTA

E. Arthur Hanson to be postmaster at Benson, Minn., in place of W. E. Lawson. Incumbent's commission expired June 5, 1924.

NEBRASKA

John A. Gibson to be postmaster at Mullen, Nebr., in place of E. C. Pickett. Incumbent's commission expired June 4, 1924.

Charles H. Kuhns to be postmaster at Maxwell, Nebr., in place of C. H. Kuhns. Incumbent's commission expired April 9, 1924.

NEW JERSEY

Edward W. Walker to be postmaster at Cranbury, N. J., in place of E. W. Walker. Incumbent's commission expired September 10, 1923.

NEW MEXICO

Cristobal J. Quintana to be postmaster at Taos, N. Mex., in place of Antonio Martinez, removed.

NEW YORK

John J. Kiely to be postmaster at New York, N. Y., in place of E. M. Morgan, deceased.

Grace Davies to be postmaster at Lake Kushaqua, N. Y., in place of D. M. Smylie, deceased.

OHIO

Lora Bloomfield to be postmaster at East Columbus, Ohio, in place of Lora Bloomfield. Office became third class July 1, 1924.

OKLAHOMA

William A. Johnson to be postmaster at Cromwell, Okla., in place of W. A. Johnson. Office became third class October 1, 1924.

PENNSYLVANIA

Fred L. White to be postmaster at Great Bend, Pa., in place of F. E. Burke, deceased.

TEXAS

William L. Turner to be postmaster Brownwood, Tex., in place of D. F. Johnson, deceased.

Charles P. J. Ledwidge to be postmaster at Beaumont, Tex., in place of A. B. Seale. Incumbent's commission expired June 4, 1924.

WISCONSIN

Fred Hennig to be postmaster at Bowler, Wis., in place of Fred Hennig. Office became third class July 1, 1923.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 17 (legislative day of January 15), 1925

UNITED STATES DISTRICT JUDGE

Isaac M. Meekins to be United States district judge, eastern district of North Carolina.

POSTMASTERS

MISSOURI

William E. Morton, Kansas City.

NEVADA

Charles W. Brown, Gardnerville.

Erwin E. Frost, Golconda.

Julia G. Pangburn, Jarbridge.

NORTH CAROLINA

Lorenzo D. Maney, Biltmore.

TENNESSEE

May L. Hayes, Lynchburg.

HOUSE OF REPRESENTATIVES

SATURDAY, January 17, 1925

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord, Thou art a God of infinite estate. May we allow nothing to break down our faith or disrupt our hope in Thee. Thou art the source of all that is pure and good. O Thou who dost preside over time and life supply us with knowledge and wisdom that our lives may be full of usefulness. How vain and impoverished our longings and visions without Thee. Temper our wills, harmonize our thoughts, and restrain our affections. Bless all institutions that express and promote the ideals of our Republic, especially those that train the ignorant and succor the poor. Through Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, one of its clerks, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested.

S. 3643. An act authorizing the construction of a bridge across the Ohio River between the municipalities of Ambridge and Woodlawn, Beaver County, Pa.

SENATE BILL REFERRED

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its proper committee, as indicated below:

S. 3493. An act to amend an act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, as amended February 28, 1923; to the Committee on Ways and Means.

MUSCLE SHOALS

Mr. McKENZIE. Mr. Speaker, I desire to submit a unanimous-consent request. I ask unanimous consent to take the bill H. R. 518 from the Speaker's table, to disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the Muscle Shoals bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

Mr. LONGWORTH. Mr. Speaker, I feel under the circumstances compelled to object. I think it would be wiser to let the bill remain on the Speaker's table for a few days, and at least for the present I would feel it my duty to object. May I suggest to the gentleman under the circumstances that he delay his request for a few days?

Mr. GARNER of Texas. Let me see if I understand the situation: The gentleman from Illinois asks unanimous consent to take from the Speaker's table the Muscle Shoals bill, disagree to the Senate amendments, and ask for a conference, and the gentleman from Ohio thinks it better go over for a day or two.

Mr. LONGWORTH. Yes.

Mr. GARNER of Texas. Then I understand the leaders have not come to a conclusion as to what is to go in the bill?

Mr. LONGWORTH. I think that is correct. [Laughter.]

Mr. McKENZIE. Will the gentleman from Ohio yield?

Mr. LONGWORTH. I yield to the gentleman with pleasure.

Mr. McKENZIE. Will the gentleman give us any assurance that if this goes over until Monday, or the first of next week, that we will get speedy action on the legislation?

Mr. LONGWORTH. I can not give the gentleman positive assurance because, as to myself, I confess that I am not familiar enough with the bill as it comes over from the Senate to form a definite conclusion as to what procedure should be followed. Of course the gentleman realizes that this particular case the conferees have jurisdiction without limit and might bring in a bill entirely different from any that has been heretofore considered by either House.

Mr. ALMON. I understand the gentleman is not making any objection now in order to delay action?

Mr. LONGWORTH. Not at all, I am hoping action can be taken very speedily.

Mr. GARRETT of Tennessee. Of course, the tremendous importance of this question can not fail to be recognized by every Member who is in any way familiar with the subject, but if I may venture to suggest time is an exceedingly important element in this matter. There are not many weeks left of this session of Congress, and from such knowledge as I have of the situation I do not think it is wise to insist too vehemently this morning, but I do certainly hope that at a very early date we can have action on the request in some form.

Mr. LONGWORTH. I certainly hope that action can be had as speedily as is consistent with the importance of the question involved.

Mr. McKENZIE. Mr. Speaker, if I may be permitted just a word. It becomes my duty, of course, as chairman of the Committee on Military Affairs to make this request, and being one of those who have urged action on this matter for years I am deeply anxious in getting action as soon as possible, and I did not want to place myself in a position of in any way interfering with the consideration of this bill, but in view of the statements of our leader, and I take them in good faith, and believing we will get action early next week I withdraw for the present my request for this action.

Mr. LONGWORTH. I am obliged to the gentleman.

CAPITAL PUNISHMENT IN THE DISTRICT OF COLUMBIA

Mr. ZIHLMAN. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 26.

The SPEAKER. The gentleman from Maryland asks unanimous consent for the present consideration of a Senate concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 26

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 337) to prescribe the method of capital punishment in the District of Columbia, to strike out, on page 1, line 3, of the engrossed bill the following: "on and after the 1st day of July, 1924," and insert "hereafter."

The SPEAKER. Is there objection?

Mr. SNELL. Will the gentleman yield for a question?

Mr. ZIHLMAN. I will yield.

Mr. SNELL. This is simply to correct a clerical error?

Mr. ZIHLMAN. A clerical error; the bill was reported in February, 1924, and not passed until January, 1925.

Mr. GARRETT of Tennessee. I did not quite understand the situation. Does this make permanent law of what is now temporary?

Mr. ZIHLMAN. No. The bill was passed here last February—

Mr. GARRETT of Tennessee. This is to strike out the word "immediately" and insert the word "hereafter"?

Mr. ZIHLMAN. No. It strikes out the words "July, 1924," and inserts "hereafter."

Mr. BLANTON. It just corrects a clerical mistake?

Mr. ZIHLMAN. Yes.

Mr. GREEN. Reserving the right to object, Mr. Speaker, this just corrects a clerical error, and the gentleman understands there is no opposition?

Mr. ZIHLMAN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE TO ADDRESS THE HOUSE

Mr. McCLINTIC rose.

The SPEAKER. For what purpose does the gentleman from Oklahoma rise?

Mr. McCLINTIC. Mr. Speaker, I wish to prefer a unanimous-consent request, if it is all right to the Chair.

The SPEAKER. The Chair would like gentlemen before submitting unanimous-consent requests to notify the Chair in advance.

Mr. McCLINTIC. I ask unanimous consent to address the House for 15 minutes on the subject of aircraft.

Mr. MADDEN. Mr. Speaker, I hope the gentleman will defer that for the time being. We have a conference report here on the urgent deficiency bill. Some of the Government departments are waiting for the money.

Mr. McCLINTIC. My name was connected with the subject of aircraft in a Washington newspaper, and I thought that perhaps under the circumstances this House might allow me about 15 minutes in which to make a statement.

The SPEAKER. The appropriation bill is coming up very soon.

Mr. McCLINTIC. Then, Mr. Speaker, I withdraw my request.

FIRST DEFICIENCY BILL, 1925

Mr. MADDEN. Mr. Speaker, I call up the conference report on the bill (H. R. 11308) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

The SPEAKER. The Clerk will read the conference report. The conference report was read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11308) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, and 21, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: Strike out, in lines 14, 15, 16, 17, and 18 of the matter inserted by said amendment, the following: "including the same objects and under the same limitations as are prescribed under this head in the act making appropriations for the Interstate Commerce Commission for the fiscal year ending June 30, 1925"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 7 and 8.

MARTIN B. MADDEN,
D. R. ANTHONY, Jr.,
JOSEPH W. BYRNS,

Managers on the part of the House.

F. E. WARREN,
CHARLES CURTIS,
LEE S. OVERMAN,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11308) making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year 1925 and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year 1925, and for other purposes, submit the following statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On Nos. 1, 2, 3, and 4, relating to the Senate: Appropriates for items of expense of the Senate in the manner and the amounts proposed by the Senate.

On No. 5: Appropriates \$40,000, as proposed by the Senate, for expenses to be incurred by the joint committee of Congress in arranging for the inaugural ceremonies on March 4 next.

On Nos. 6 and 9: Appropriates \$15,000, as proposed by the Senate, for expenses of the United States Lexington-Concord Sesquicentennial Commission.

On No. 10: Appropriates \$8,200, as proposed by the Senate, for expenses of the surveyor's office, District of Columbia, for making necessary surveys incident to building operations.

On Nos. 11, 12, and 13, relating to the Interstate Commerce Commission: Appropriates for expenses of the commission, as proposed by the Senate, as follows: \$27,275 for block signal, train control, and safety appliance systems, \$54,145 for locomotive-inspection work, and \$20,000 for printing and binding.

On No. 14: Appropriates \$150,000, as proposed by the Senate, to enable the Secretary of the Interior to investigate and report to Congress the facts in connection with reclamation projects upon which settlers are unable to pay construction costs, as authorized by subsection K of section 4 of the deficiency act approved December 5, 1924.

On No. 15: Strikes out the appropriation of \$200,000, inserted by the Senate, for maintenance, operation, and construction work on the first Mesa unit of the Yuma auxiliary reclamation project.

On No. 16: Appropriates \$11,250, as proposed by the Senate, for expenses of the International Fisheries Commission authorized by the act of June 7, 1924.

On No. 17: Inserts the language, proposed by the Senate, in connection with the report required to be made by law of refunds of internal revenue taxes.

On No. 18: Appropriates, as proposed by the Senate, for payment of judgments rendered against the United States by United States district courts.

On No. 19: Appropriates, as proposed by the Senate, for payment of judgments rendered against the United States by the Court of Claims.

On Nos. 20 and 21: Appropriates, as proposed by the Senate, for the payment of claims allowed and certified by the General Accounting Office under existing law.

The Committee of Conference have not agreed on amendments as follows:

On No. 7: Appropriating \$50,000 for expenses of the Agricultural Conference convened by the President.

On No. 8: Appropriating \$50,000 for expenses of the Federal Oil Conservation Board appointed by the President.

MARTIN B. MADDEN,
D. R. ANTHONY, Jr.,
JOSEPH W. BYRNS,

Managers on the part of the House.

Mr. MADDEN. Mr. Speaker, when this bill passed the House it carried \$157,113,700. When it passed the Senate it carried \$159,704,838.19. It is only fair to say that most of the items put on by the Senate are in the form of judgments, which would have been put on in the House when we had the bill under consideration here in the House if they had been before us at that time.

There is not much difference between the House and the Senate. The Senate receded from the item of \$200,000, covering the Yuma irrigation project, and the House receded from items aggregating \$2,291,138.19, most of which items were covered by judgments and certified accounts, which were purely formal matters. The list of items is as follows:

Senate expenses.....	\$15,000.00
Expenses of inauguration under joint committee.....	40,000.00
Lexington-Concord Commission.....	15,000.00
Surveyor's office, District of Columbia.....	8,200.00
Interstate Commerce Commission:	
Safety appliance work.....	27,275.00
Locomotive inspection.....	54,145.00
Printing and binding.....	20,000.00
Reclamation surveys.....	150,000.00

International Fisheries Commission.....	\$11,250.00
Judgments, United States courts.....	188,687.40
Judgments, Court of Claims.....	301,056.99
Audited claims.....	1,460,523.80

Total..... 2,291,138.19

There is not much else to say about the bill, except that it is urgent. I move the adoption of the conference report.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. SNELL. I would like to ask the gentleman about amendment No. 14, concerning an investigation of reclamation projects.

Mr. MADDEN. That is \$150,000 for the reclamation surveys. That is one of the things that the House receded from. It has been provided for by recent law.

Mr. SNELL. Will the gentleman just tell us what it is?

Mr. MADDEN. The law provides that where for any reason settlers on reclamation projects are unable to pay the construction costs assessed against their lands or where the costs have been assessed on a smaller area of land than the total area under the project the Secretary of the Interior shall make a survey and report the facts to Congress.

Mr. SNELL. This provides the money for that survey?

Mr. MADDEN. Yes.

Mr. HOWARD of Nebraska. Mr. Speaker, will the gentleman yield for a question?

Mr. MADDEN. Yes, indeed.

Mr. HOWARD of Nebraska. Will the chairman of the committee inform me whether or not this deficiency bill carries any appropriation for the Attorney General's department for the prosecution of war contract grafters?

Mr. MADDEN. I think not.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Certainly.

Mr. BLANTON. The adoption of this report will not preclude a vote on these various items that have been brought in?

Mr. MADDEN. Oh, no.

Mr. BLANTON. And they will be taken up seriatim?

Mr. MADDEN. Yes.

The SPEAKER. The question is on the adoption of the conference report.

The conference report was agreed to.

Mr. MADDEN. Mr. Speaker, I move that the House concur in Senate amendment No. 7.

The SPEAKER. The gentleman from Illinois moves that the House concur in Senate amendment No. 7. The Clerk will report it.

The Clerk read as follows:

Senate amendment No. 7: Page 4, after line 10, insert:

"AGRICULTURAL CONFERENCE"

"For expenses of the agricultural conference assembled by the President in November, 1924, and for each purpose connected therewith, to be expended at the discretion of the President, including such travel expenses as may already have been incurred by the members of the conference, \$50,000, to remain available until June 30, 1926."

Mr. GARNER of Texas. Mr. Speaker, that is a provision to pay for the expenses and salaries, whatever it may be, of the Agricultural Commission?

Mr. MADDEN. Yes; the Agricultural Commission, which meets here for the purpose of devising means for the relief of the agricultural interests.

Mr. GARNER of Texas. I presume the gentleman from Illinois received the first result of that conference this morning?

Mr. MADDEN. No.

Mr. GARNER of Texas. I did. I thought it was the most expensive document I have ever read; it has so little in it. I have read in a number of magazines suggestions that have excelled them in their practicability and in their hope of relief of the farmers and the agricultural interests. I can not understand how you had to pay \$50,000 for a document of that kind. I hope the gentleman from Illinois will look over that document to see if he has got his money's worth in this appropriation.

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this item of \$50,000 was denominated by the distinguished gentleman from Louisiana [Mr. ASWELL], who is a member of the Committee on Agriculture and a friend of the farmer, as a waste, as an extravagance, as an expenditure of money from which no good would come. The gentleman from Kentucky [Mr. KINCHELOE], another member of the Committee on Agriculture and another friend of the farmer, has likewise denounced this expenditure of money as a waste. The gentleman from Louisiana then said:

Mr. ASWELL. * * * I want Mr. Coolidge and his administration to have every opportunity to render some service to agriculture, which they have made no very serious effort to render. They have brought bill after bill of bunk and radicalism to this House Committee on Agriculture with no serious purpose of action. They have never permitted a sane, constructive measure for relief to reach this House for consideration. And I want to say, gentlemen, that it is little short of an outrage to raid the Treasury even of \$50,000 and then run throughout the country loudly shouting common sense and economy.

This commission—hear me—can not and will not report any legislation worthy of consideration for this session of the Congress and has no intention of any such purpose. Nor does President Coolidge himself intend to bring anything worth while to this Congress. It is a political camouflage which every Member of the House and every citizen of the Republic, especially the farmers, should resent. Unless the administration can discover and bring something to this body that is worth while, scientific, sound, and practical, it will be \$50,000 thrown away for political ends. [Applause.]

The gentleman from Kentucky then said:

Mr. KINCHELOE. * * * So here is an agricultural commission appointed for political purposes only. The President of the United States appointed it without any authority of law, and "great economist" that he is in the expenditure of the money of the people, he is coming here and asking this Congress to appropriate \$50,000 of the taxpayers' money out of the Treasury to defray the expenses of this commission, and we know that when that report is made it is not going to be worth the paper it is written on, with all due respect to the personnel of that commission. I would not give the judgment of the members of the Agricultural Committee of the House for all the commissions the President may appoint. * * *

Mr. BLANTON. Will the gentleman yield?

Mr. KINCHELOE. I yield.

Mr. BLANTON. Has the gentleman ever found one benefit that the people of this country ever received from the \$400,000 coal commission that was created?

Mr. KINCHELOE. Certainly not.

Mr. BLANTON. We are paying more for coal right now than we were when the commission was organized.

Mr. KINCHELOE. Absolutely; and when that commission was appointed every bit of information it ever desired pertaining to the mines of this country was already down here in the Bureau of Mines.

Mr. BLANTON. And they have spent the money, and the people are taxed to pay it.

Mr. KINCHELOE. Absolutely.

Our minority leader, Mr. GARRETT, then said:

Mr. GARRETT of Tennessee. Mr. Chairman, * * * I think that this proposal may be fairly and legitimately characterized as a bit of pure political bunk. * * *

I reiterate again the prophecy that this will be \$50,000—or such part of \$50,000 as may be expended—will be that much money absolutely wasted; that it will be of no benefit whatever to Congress in dealing with agricultural legislation. It is merely carrying out a promise made by the administration for campaign purposes and is paying this political campaign promise out of public funds. [Applause.]

Thus our minority leader, the gentleman from Tennessee [Mr. GARRETT], from the floor denounced this expenditure of money as a waste, and yet it is going to be squandered by Congress in the name of the farmers and in the name of agriculture, and not one single benefit, I predict, will come from it.

I want to remind the chairman of the Committee on Appropriations again of the Coal Commission, which was a farce, so far as any benefit to the people was concerned. There, if I remember correctly, a total of about \$600,000 of the people's money was spent and wasted, and coal is higher to-day than it was then. One appropriation that was made for that commission was \$400,000, and I predicted then it would result in no good and no benefit to the people, and there has not been any benefit. We just pick up these sums of money in \$50,000 blocks and vote them out of the Treasury because some Government officials want it; they are spent, and you can not tell where the money has gone.

I am going to continue to raise my feeble protest against it. I think we ought to defeat this \$50,000 item, and I am going to force a roll call on it if I can. Members ought to go on record on such matters.

I am in favor of the farmers. I represent a farmers' district, and I will vote for any measure that has a promise of benefit to the farmers of the country, but in the name of the farmers I represent and in the name of agriculture, I am going to vote against this item as a waste.

Mr. HOWARD of Nebraska. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. HOWARD of Nebraska. The gentleman being familiar with the situation and having given it much study, can he tell the House whether or not any salary or compensation is proposed to be allowed the members of this commission out of this appropriation?

Mr. BLANTON. Oh, we are told they will be paid \$15 per day and traveling expenses, but you can not tell how it is spent. They come here from different parts of the country, and it is fine hotel suites at the Willard, it is Pullman-car fares, it is dining-car fares, it is flunky tips, and it is every kind of waste you can think of. It is a throwing away of the people's money in the name of agriculture.

Mr. KVALE. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KVALE. Would not the gentleman think it proper to pay this expense out of the Republican campaign fund?

Mr. BLANTON. That is a very pertinent suggestion, but I am not raising this as a partisan issue.

Mr. HUDSPETH. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. HUDSPETH. My understanding is that this conference has recommended a duty on hides. What has the gentleman to say about that?

Mr. BLANTON. They can recommend it, but my friend from Texas knows very well that they will never put a duty on hides and keep it there. They really recommend nothing.

Mr. HUDSPETH. I am speaking about the recommendation of this great conference.

Mr. BLANTON. They might recommend; yet if Congress should vote it on hides, in less than 48 hours afterwards it would vote it off again like they did last time, as the gentleman knows, for the farmers and producers always get the worst of it in tariff bills.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. GARRETT of Tennessee. Is the gentleman from Texas willing to give \$50,000 just for a recommendation of that sort?

Mr. BLANTON. I do not think the gentleman from Texas suggested that seriously, but that he was in a facetious vein.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BYRNS of Tennessee. Mr. Speaker, I know that there are a great many who regarded the announcement of the President—which was made several months, if I recollect correctly, before the election—to the effect that he was going to call a conference for the purpose of considering relief to the farmers as a more or less political maneuver, and I think that opinion has, in a measure, been confirmed by the fact that the members of the conference were not actually appointed until some time in November, after the election, although the announcement had been made, without authority of law, some time before the election.

I do not know whether this conference is going to amount to anything or not. I know that immediately after the present administration went into power in 1921 there was an agricultural conference called, and, if I mistake not, it was headed by Secretary Hoover. Just what experience he has had as a farmer I do not know. I do know, however, that that conference met and it amounted to nothing. I know that subsequently Congress, in its anxiety to do something for the benefit of the farmers, appointed a committee, headed by our distinguished colleague, Hon. SYDNEY ANDERSON, of Minnesota. I know that for weeks they held extended hearings at considerable expense to the Government, and they submitted a report in pamphlet form of over thirteen hundred pages, and it was a very valuable report. I know that that report was disregarded and no action came as a result of that very extended hearing on the part of this congressional committee.

Mr. TILSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. TILSON. Does not the gentleman think that the very valuable report made by the Anderson committee was very helpful in our attempt at agricultural legislation in the last session? Is it not possible that the very fine report of that committee prevented us from enacting legislation that might have been very harmful?

Mr. BYRNS of Tennessee. That may be true, but nevertheless in that report there were many valuable suggestions, and I am sure that if the gentleman has read it he is convinced of that fact.

Mr. ASWELL. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. ASWELL. I want to ask what agricultural legislation the last session of Congress enacted?

Mr. BYRNS of Tennessee. None; absolutely none; and that is the point I was making.

Mr. TILSON. And that is the point I was making.

Mr. BYRNS of Tennessee. And in spite of the fact that we have already had two conferences for the purpose of relieving the agricultural interests, and that valuable reports were made, nothing has come from them.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GARRETT of Tennessee. I understood the gentleman from Connecticut to emphasize the value of nonaction.

Mr. BYRNS of Tennessee. I so understood his statement.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. GARNER of Texas. Does the gentleman think it is going to be necessary to continue to convince the Republican side of the House that it is unnecessary to legislate on agricultural matters by appropriating \$50,000 each year?

Mr. BYRNS of Tennessee. I do not know whether we can convince the Republican Party or not, but I know it is extremely important that something be done for the agricultural interests.

Mr. GARNER of Texas. The gentleman from Connecticut [Mr. TILSON] intimates that he wants this commission in order to advise them not to legislate on agricultural questions.

Mr. BYRNS of South Carolina. And that the object of the investigation is to prevent legislation by a Republican Congress?

Mr. BYRNS of Tennessee. Mr. Speaker, I want to say—

Mr. TILSON. No; the real benefit that came from that investigation—

Mr. BYRNS of Tennessee. I wanted to say a few words, Mr. Speaker—

Mr. TILSON. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Connecticut.

Mr. TILSON. The benefit that came from the Anderson report and from other reports was in preventing this Congress, Republicans and Democrats—for we were not divided on party lines on the matter—from passing certain legislation that might have been harmful.

Mr. WATKINS. The McNary-Haugen bill?

Mr. TILSON. That is one of them.

Mr. BYRNS of Tennessee. I do not know just what legislation the gentleman refers to.

Mr. TILSON. The McNary-Haugen bill for one.

Mr. BYRNS of Tennessee. I agree with the gentleman.

Mr. TILSON. I think the gentleman from Tennessee was in accord with me on that bill.

Mr. BYRNS of Tennessee. Yes; I was in accord with the gentleman about that.

Mr. HOWARD of Nebraska. But the gentleman does not speak for all of us over here.

Mr. ASWELL. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman from Louisiana.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MADDEN. Mr. Speaker, I yield five more minutes to the gentleman from Tennessee.

Mr. ASWELL. May I ask the gentleman a question? Is it not clear that this commission is a direct result of a preelection political promise by the President; and there being no doubt about that, does it not logically follow that in common fairness, in common decency, that instead of taxing the farmers along with the other people for this \$50,000 that the \$50,000 should be paid by the Republican campaign committee? It was a campaign proposition from the beginning, and does it not also follow that the gentlemen who have been invited here on a trip to Washington should be paid out of the Republican campaign fund, inasmuch as it was a preelection political promise? There are nine of them, and this would give them more than \$5,000 apiece. I think they should be paid out of the Republican campaign fund.

Mr. BYRNS of Tennessee. Mr. Speaker, I do not know just how that could be arranged by Congress, although I am informed by the press that the Republican campaign fund has many hundreds of thousands of dollars to its credit and could very easily pay it.

I was about to say, Mr. Speaker, when I was diverted, that we seem to have gotten to the point in the last two years that when the administration and Congress do not know what to do they immediately offer to provide for some commission to make a report and tell the administration and tell Congress just what it may do for the relief of the farmers or some other class of our citizens.

This conference was called without authority on the part of the President, and it may be, as some have charged, in anticipation of the November election; but, notwithstanding that and notwithstanding, I very much fear—in fact, I am almost certain—that the result of this conference will be the same as other conferences which have been held in the last three years. I for one am not willing to vote against an appropriation of \$50,000 which is intended, whether it has that result or not, to give relief to the great farming classes of this country.

This does not provide any salary for the members of this commission. It was stated at the hearings that they will be allowed possibly \$15 a day for their actual expenses and will also be allowed their traveling expenses while coming to Washington. I know that \$50,000 is a considerable sum to spend for something that may not amount to anything, but I am not willing to put myself in the attitude of refusing to vote an appropriation which may enable the administration and the Republican Congress to do what it has not done in the last three years and give some relief to the farming classes of this country. I therefore intend to vote for it.

Mr. GARNER of Texas. Will the gentleman yield for a question in that connection?

Mr. BYRNS of Tennessee. I yield.

Mr. GARNER of Texas. Suppose the reverse were true and the \$50,000 was to be used as an excuse for the administration not to do anything for the farmer, then would we be justified in appropriating the money?

Mr. BYRNS of Tennessee. No, but I hardly see, I will say to the gentleman, how they can again get by with an alibi of that sort, because this conference is expected to make certain reports now, and I noticed the other day in the press that there was a suggestion of some relief to the cattle growers in the West and in the Southwest. This relief seemed to be, so far as I could understand, in the way of additional credit. I think we have reached the time when we ought to give some constructive relief to the farmers of this country and not every time we find them in distress offer to lend them some money or make it easier for them to borrow additional money. [Applause.]

What we ought to do is to provide constructive relief by giving a reduction of the tariff to the farmers of this country, and increase the purchasing power of his dollar. [Applause.]

Mr. BLACK of Texas. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. BLACK of Texas. This morning I received in my mail, as I suppose all the Members did, a report from the commission we are talking about, and instead of recommending a reduction of the tariff, one of the measures they recommend as a matter of relief is an increase of the tariff. [Laughter.]

Mr. BYRNS of Tennessee. I think it is a very expensive proposition if we are to appropriate \$50,000 for that suggestion.

Mr. GARNER of Texas. How can the gentleman from Tennessee defend this appropriation in view of the official statement made this morning by this commission that it can do nothing for the farmer except increase the tariff and tell him to work a little harder himself. That is what you are paying \$50,000 for now and the report has already been made.

Mr. BYRNS of Tennessee. I want to state to the gentleman again that, so far as I know, the result of this conference may not amount to anything, but it is still in session and I am unwilling, in view of the present situation of the farming classes of this country, whether it be the cattle growers or the wheat growers or the cotton growers or the tobacco growers, to decline to vote \$50,000 for a conference on the idea that it may not amount to anything.

I think, my friends, we ought to do everything we can to bring relief to the farmer, and if this conference can possibly present some measure of relief, which our friends upon the other side of this administration has been unable to do during the past three years, then I think the \$50,000 will be well spent. [Applause.]

Mr. GARRETT of Tennessee. Will the gentleman from Illinois give me some time?

Mr. MADDEN. I yield to the gentleman three minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, I have this objection to the appropriation. I discussed it from one angle when it was before the House a few days ago with the point of order pending, and I am not going into that angle just now. So far as I know this is a precedent. The President appointed this commission without any authority of law whatever. It was wholly extra official. It was a commission that was intended to report recommendations of legislation, not a commission to aid the Executive, except in the matter of making recommendations, but a commission to report something

that Congress might do. Congress was not consulted as to whether it wanted a commission; no question was asked whether Congress felt the necessity for it. The President simply, when Congress was not in session, proceeded to appoint it, and then the request comes for Congress to ratify the unofficial commission, appointed without its consent, without it having been consulted as to the necessity for it, by making an appropriation to pay its expenses.

I do not believe in establishing a precedent that will ratify a policy whereby the Executive of this country may appoint a commission, legislative in character, executive in character, judicial in character, without having the legislative authority in advance, and then come and ask its ratification by making an appropriation to carry out his unofficial act. [Applause.] It seems to me it is a fundamental objection that ought to prevail.

Mr. LOZIER. Will the gentleman give me two minutes?

Mr. MADDEN. I yield the gentleman two minutes.

Mr. LOZIER. Mr. Speaker and gentlemen, I regret that I can not on the pending question accept the conclusions of the distinguished gentleman from Tennessee [Mr. GARRETT], our able, highly respected, and well-beloved Democratic leader. In matters involving party policy and party principles I am at all times glad to follow where his sound judgment, clear vision, and ripe experience leads. In Democratic councils I recognize that, like MacGregor, where the gentleman from Tennessee sits there is the head of the table.

But, Mr. Chairman, this is not a political or partisan question that we are now considering. It is my privilege to represent a constituency than which there is no greater agricultural district in the United States, and if I should oppose the approval of this conference report I feel that I would not be representing my constituents or accurately reflecting the will of the people whose agent and representative I am.

The question before the House is whether or not we shall appropriate \$50,000 to cover the expenses of the commission appointed by President Coolidge last November to investigate the agricultural situation, with a view of ascertaining what relief, if any, can be provided for the agricultural classes. I felt at the time this commission was appointed that it would accomplish nothing worth while, and my impressions have been fully confirmed. I was convinced that the appointment of this commission was a mere gesture or smoke screen to shift responsibility for failure of the administration to get behind some real constructive legislation for the relief of existing nationwide agricultural distress. I was justified in this conclusion, because the agricultural situation has been thoroughly investigated and discussed in its every detail for four years, and every intelligent farmer and practically every other well-informed person knows what is the matter with agriculture. Every thoughtful student of agricultural conditions is quite familiar with the causes and conditions that have brought agriculture dangerously close to bankruptcy. These subjects have been examined, investigated, and reinvestigated from practically every conceivable standpoint, because they have, to such an alarming extent, affected the welfare of the agricultural classes that obviously they would be uppermost in the mind of the American farmer, as well as other classes whose welfare is bound up inseparably with the well-being of agriculture. These causes and conditions have been so carefully considered by the daily and weekly newspapers, the metropolitan press, the political, economic, and business periodicals, farm organizations, agricultural colleges, and expert agricultural diagnosticians that every phase and detail of the agricultural problem have been thoroughly analyzed.

Moreover, the Sixty-seventh Congress in 1921 appointed a joint commission of agricultural inquiry on "The agricultural crisis and its causes." This commission consisted of five Senators and five Members of the House, Representative SYDNEY ANDERSON, of Minnesota, being chairman. The membership of this commission was made up of six Republicans and four Democrats. The chairman, Hon. SYDNEY ANDERSON, Representative from Minnesota, and a Republican, was probably the best-informed Member of either the House or Senate on agricultural questions, and it is doubtful if there is anyone in the United States who has a more extensive knowledge of agricultural problems than Mr. ANDERSON. This commission made a very thorough and comprehensive examination of every phase of the agricultural question. Extensive hearings were held and well-informed farmers, farm economists, students of farm problems, political economists, and representatives of practically every vocation directly or indirectly related to agriculture, were examined and their evidence printed. This commission brought before it practically every farm leader in the United States and hundreds of representatives

of other vocations who were well informed on economic questions with a view of going to the heart of the problem, ascertaining the cause of and the cure for the Nation-wide agricultural distress. These hearings, or the printed testimony, are embraced in three bound volumes, aggregating 2,382 pages. After an exhaustive hearing, the commission made a very comprehensive report, in four parts, aggregating 1,313 pages. The hearings and report combined aggregated 3,695 pages. In this report and investigation every conceivable phase of the agricultural situation was comprehensively considered, and no one will claim that the commission appointed by President Coolidge could or would discover any new facts not already found and elaborately presented in the report of the joint commission of agricultural inquiry.

In an address in this House on December 9, 1924, I used this language:

It will not be seriously contended that the Coolidge commission will make any new discoveries or suggest any new plan of relief. The agricultural situation has been discussed with an infinity of detail in and out of Congress. The time for investigation has passed and the time for affirmative action has come.

Now, while the appointment of this commission has accomplished nothing, I am not willing to withhold from the President the funds necessary to defray the expenses of the commission. While, I think, the President used poor judgment in appointing this commission, in view of the fact that it must have been quite apparent to every one that the commission could make no new discoveries or suggest new plans of relief, and while there was no law authorizing the creation of this commission, still I am not willing to refuse to pay the expenses of the commission, and I will not oppose anything that has been done or that may be done to help the American farmer.

In the last generation Congress has enacted much legislation that has handicapped the agricultural classes and denied to them equality of opportunity. While I can not comprehend how the President could hope to accomplish anything by the appointment of this commission, which at best, could do nothing more than go over the ground covered so frequently and so completely heretofore, nevertheless I will give the President credit for believing, or at least hoping, that his commission might be able to suggest a remedy for the economic ills that for four years have devitalized agriculture and removed it from the list of profitable vocations.

The revenues of the Government have not been expended very lavishly at any time in an effort to ascertain the needs of agriculture, and in view of the nation-wide agricultural depression, I am in favor of paying the expenses of this commission, even if no substantial result accrued from its activities, and although it is like "paying for a dead mule."

I do not think that any Democrat should place himself in the attitude of obstructing or refusing to pay for any investigation that may have been heretofore, or that may be hereafter, inaugurated by the President, which has for its object the ascertainment as to whether or not any relief is possible for the American farmer. [Applause.]

I hope my Democratic colleagues, and my Republican colleagues as well, will not oppose this appropriation. While I said on the floor of this House shortly after this Congress assembled, that I was quite confident the President's commission would not be able to discover a single fact in relation to agriculture which was not known to the country, to the farmers, to every economist and student of public problems in America; still, as the commission was appointed on the theory and in the hope that it might be able to suggest some plan for the relief and economic betterment of the agricultural classes, I am not willing to be placed in the attitude of opposing this appropriation, or of opposing any activities or legislation designed to promote the interests of the American farmers. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. BYRNES of South Carolina. Will the gentleman yield to me?

Mr. MADDEN. I yield three minutes to the gentleman from South Carolina [Mr. BYRNES].

Mr. BYRNES of South Carolina. Mr. Speaker, I want to say, that, unlike the gentleman who preceded me, I have no hesitation in stating that I am opposed to the appropriation and intend to vote against it. I do it for the reason that my experience has convinced me that whenever a commission of this character is appointed, whatever the intention may be in appointing it, the result is to prevent legislation instead of promote legislation. I recall that three years ago when the House was considering legislation upon agricultural problems, a conference was called by President Harding, who invited Mr. Baruch, of

New York; Mr. Armour, of Chicago; and other farmers to gather at the White House [laughter], and as a result of that conference the President urged further investigation, which investigation was used as an excuse for delaying legislation.

The Congress, exercising more judgment than it has usually used in these matters, appointed a commission of the House and the Senate to recommend agricultural legislation. I say it was wise because if legislation is ever to be enacted as a result of investigation, it must be an investigation conducted by Congress and not by a commission of outsiders. Notwithstanding that exhaustive investigation nothing was done by Congress.

Now, we propose to appoint a commission to investigate the commission appointed by the House and Senate. When this commission has reported, in the next session another commission will be appointed to investigate the commission that investigated the commission of the House and the Senate. [Laughter.]

The effective way to prevent legislation is to appoint a commission to investigate. There is no necessity for the investigation, and if ever there was a waste of money it is this appropriation of \$50,000. While I do not indulge in the realm of prophecy I will do so now and prophesy that nothing new will be proposed by this commission, not one single suggestion of this commission will be enacted into law unless it be some proposal already considered by the Congress. [Applause.]

Mr. BOYCE. Will the gentleman from Illinois yield me two minutes?

Mr. MADDEN. I yield to the gentleman from Delaware two minutes.

Mr. BOYCE. Mr. Chairman and gentlemen of the House, this Government of ours is divided into three great divisions of authority—the legislative, the executive, and the judicial. The greatest of these, in contemplation of the fathers, is the Congress. The tendency of the times is to depreciate the influence and weaken the powers of the Congress, the popular branch of the people, and to strengthen the powers of the Executive and executive departments. The time has come when the Congress should assert its rights and powers and function, as was intended, under the Constitution. [Applause.]

Mr. MADDEN. Mr. Speaker, no one in America has more solicitude for the welfare of the farmers of the country than has the President of the United States. [Applause.] He has given every minute of time to a study of the problem of how best to create more favorable conditions for agriculture that has been possible for him to give from the other duties of the great office that he occupies. He has consulted every one in every section of the country from whom information of any value might be obtained. As a result of all of the interviews and study on the part of the President he finally reached the conclusion that the way to get concrete information was to appoint a commission qualified to make suggestions to him in order that he might be in possession of information that he could later on convey to the Congress in his recommendation for legislation. Whether he appointed a commission so qualified can be best attested by reading the names of the men who are on the commission. There is President Jardine, of the Kansas Agricultural College. Will anybody deny that he had knowledge of agricultural subjects? Then there is Dean W. C. Coffey, of the University of Minnesota. Is he a student of economic problems, or is he not? There is R. W. Thatcher, of the New York Experiment Station, and it must be agreed upon every hand that he at least has some knowledge of agriculture. Then C. S. Barrett, who represents the Farmers' Union. I wonder if he has any knowledge of agricultural subjects? Then there is L. J. Taber, representing the National Grange. What about him? Would he be presumed to have any knowledge that he could convey to the President of the United States in his study of this great problem? What about Mr. O. E. Bradfute, who represents the Farm Bureau Federations? Would it be said by those opposing this appropriation that he has no knowledge of agriculture? I think not. What about Mr. R. P. Merritt, who is the head of the Sun Maid Raisin Association, one of the great cooperative marketing activities of agriculture.

What about Mr. F. H. Bixby, who represents the American National Livestock Association? Then there is former Governor Carey, of Wyoming, the chairman, a man well versed in agriculture. Surely the President of the United States might reasonably expect that from such men he will be able to get information which will be of value to agriculture, and it was only because of his belief that it was important to have such information that he appointed the commission.

Congress was not in session. It is true that he could have come to Congress later on and asked for legislation, but he was anxious to have the study made. These men are making

the study. I see no reason to believe that when this commission concludes its labors it will not furnish to the President of the United States information which will turn out to have great value in this work of rehabilitating agriculture. No man in America is more anxious to rehabilitate agriculture than is President Coolidge, and we can best manifest our willingness to cooperate with him in the great work in which he is engaged by unanimously voting this sum of \$50,000 to obtain information which will be invaluable to the future of agriculture, including the great State of Texas, from which my genial friend, Mr. GARNER, comes.

Mr. GARNER of Texas rose.

Mr. WATKINS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WATKINS. If my memory serves me rightly, every one of those men, unless it be the one last named, appeared before the committees of Congress while it was in session last year and gave to the committees all the information they possessed upon this very problem, and their testimony and views are now embedded in the reports of Congress, to which the President has access.

Mr. MADDEN. The President is trying to get information on which he can base a recommendation to Congress. I now yield to the gentleman from Texas.

Mr. GARNER of Texas. Does the gentleman believe there is going to be any substantial legislation at this session as a result of this great aggregation of wisdom?

Mr. MADDEN. It is my earnest hope that there will be.

Mr. GARNER of Texas. Does the gentleman so believe?

Mr. MADDEN. Oh, I am neither a prophet nor the son of a prophet. I hope the information obtained by the work of this commission will result in beneficial legislation to agriculture.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BLANTON. What was the date of the last meeting of this commission?

Mr. MADDEN. I am not sure about that.

Mr. BLANTON. It was just a few days before the Congress met at the present session, was it not?

Mr. MADDEN. I am not certain.

Mr. BLANTON. It was in November.

Mr. MADDEN. Oh, I can not keep track of the dates of these various meetings.

Mr. BLANTON. It was in November.

Mr. MADDEN. The gentleman knows, I assume, and we are taking his word for it. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken; and on a division (demanded by Mr. HOWARD of Nebraska) there were—ayes 92, noes 31.

Mr. BLANTON. Mr. Speaker, I object to the vote and make the point of order that there is no quorum present. I think this is an important matter.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. It is clear that there is not. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absentees, and the Clerk will call the roll. The question is on concurring in the Senate amendment.

The question was taken; and there were—yeas 221, nays 56, answered "present" 1, not voting 153, as follows:

[Roll No. 29]

YEAS—221

Ackerman	Cannon	Evans, Iowa	Hawley
Aldrich	Carter	Evans, Mont.	Hersey
Allen	Christopherson	Fairchild	Hickey
Almon	Clarke, N. Y.	Faust	Hill, Ala.
Andrew	Cole, Iowa	Fish	Hill, Wash.
Anthony	Cole, Ohio	Fisher	Hoch
Ayres	Collier	Fitzgerald	Holaday
Bacharach	Colton	Fleetwood	Hooker
Bacon	Cook	Freeman	Howard, Okla.
Barbour	Cooper, Wis.	Frothingham	Hudson
Barkley	Cramton	Fuller	Hudspeth
Beck	Crisp	Gambrell	Hull, Iowa
Beedy	Croll	Garber	Hull, Tenn.
Beers	Cummings	Gardner, Ind.	Hull, Morton D.
Begg	Dallinger	Garrett, Tex.	James
Berger	Darrow	Gasque	Jeffers
Boles	Davey	Gibson	Johnson, S. Dak.
Brand, Ohio	Davis, Tenn.	Gifford	Kearns
Browning	Dickinson, Iowa	Green	Keller
Brumm	Dickinson, Mo.	Greenwood	Kendall
Burness	Dowell	Griest	Ketcham
Burton	Doyle	Hadley	Kinchloe
Byrns, Tenn.	Driver	Hardy	King
Cable	Dyer	Hastings	Knutson
Campbell	Elliott	Hawes	Kopp

Kurtz	Michener	Sanders, N. Y.	Tincher
Kvale	Miller, Wash.	Sandlin	Treadway
Lankford	Milligan	Schneider	Tucker
Larsen, Ga.	Minahan	Scott	Underhill
Lazaro	Montague	Sears, Nebr.	Underwood
Leach	Moore, Ohio	Seger	Upshaw
Leatherwood	Moore, Va.	Shreve	Valle
Leavitt	Moore, Ind.	Simmons	Vestal
Lehlbach	Morehead	Sinclair	Vinson, Ky.
Lilly	Murphy	Sinnott	Wainwright
Lineberger	Nelson, Me.	Smith	Wason
Longworth	Newton, Minn.	Snell	Watres
Lowrey	Newton, Mo.	Snyder	Watson
Lozier	Oliver, Ala.	Speaks	Wefald
Luce	Patterson	Sprout, Ill.	White, Kans.
McDuffie	Peavey	Sprout, Kans.	White, Me.
McKenzie	Quin	Stephens	Williams, Ill.
McKeown	McLaughlin, Mich.	Strong, Kans.	Williams, Mich.
McLaughlin, Mich.	Ragone	Summers, Wash.	Williamson
McSweeney	Rainey	Swank	Wilson, La.
MacLafferty	Raker	Swing	Wingo
Madden	Ramseyer	Tague	Winter
Magee, N. Y.	Rathbone	Taylor, Colo.	Wood
Magee, Pa.	Reece	Taylor, Tenn.	Woodruff
Major, Ill.	Reed, N. Y.	Taylor, W. Va.	Wright
Major, Mo.	Robinson, Iowa	Temple	Wurzbach
Manlove	Romjue	Thatcher	Wyant
Mansfield	Rosenbloom	Thompson	Yates
Mapes	Rouse	Tillman	
Mead	Rubey	Tilmer	
Merritt	Sabath	Timberlake	

NAYS—56

Abernethy	Connally, Tex.	Jost	Salmon
Allgood	Conner	Kent	Sanders, Tex.
Bankhead	Crosser	Lanham	Spearing
Black, N. Y.	Deal	Lyon	Steagall
Black, Tex.	Doughton	McClintic	Stedman
Bland	Garner, Tex.	McReynolds	Stengle
Blanton	Garrett, Tenn.	McSwain	Summers, Tex.
Box	Gilbert	Moore, Ga.	Thomas, Ky.
Boyce	Howard, Nebr.	Oldfield	Thomas, Okla.
Brand, Ga.	Huddleston	Park, Ga.	Tydings
Bulwinkle	Humphreys	Parks, Ark.	Watkins
Busby	Jacobstein	Peery	Weaver
Byrnes, S. C.	Johnson, Tex.	Rankin	Williams, Tex.
Clary	Jones	Rayburn	Wilson, Miss.

ANSWERED "PRESENT"—1

Aswell

NOT VOTING—153

Anderson	Fairfield	Lindsay	Reid, Ill.
Arnold	Favrot	Linthicum	Richards
Bell	Fenn	Logan	Roach
Bixler	Foster	McFadden	Robison, Ky.
Bloom	Frear	McLaughlin, Nebr.	Rogers, Mass.
Bowling	Fredericks	McLeod	Rogers, N. H.
Boylan	Free	McNulty	Sanders, Ind.
Briggs	French	MacGregor	Schafer
Britten	Fulbright	Martin	Schall
Browne, N. J.	Fulmer	Michaelson	Sears, Fla.
Browne, Wis.	Funk	Miller, Ill.	Shallenberger
Buchanan	Gallivan	Mills	Sherwood
Buckley	Geran	Mooney	Sites
Burdick	Glatfelter	Moore, Ill.	Smithwick
Butler	Goldsborough	Morgan	Stalker
Canfield	Graham	Morris	Stevenson
Carew	Griffin	Morrow	Strong, Pa.
Casey	Guyer	Nelson, Wis.	Sullivan
Celler	Hall	O'Brien	Sweet
Chindblom	Hammer	O'Connell, N. Y.	Swoope
Clague	Harrison	O'Connell, R. I.	Taber
Clancy	Haugen	O'Connor, La.	Tinkham
Clark, Fla.	Hayden	O'Connor, N. Y.	Vare
Collins	Hill, Md.	O'Sullivan	Vincent, Mich.
Connolly, Pa.	Hull, William E.	Oliver, N. Y.	Vinson, Ga.
Cooper, Ohio	Johnson, Ky.	Paige	Voigt
Corning	Johnson, Wash.	Parker	Ward, N. Y.
Crowther	Johnson, W. Va.	Perkins	Ward, N. C.
Cullen	Kelly	Perlman	Weller
Curry	Kerr	Phillips	Welsh
Davis, Minn.	Kless	Porter	Wertz
Dempsey	Kindred	Pou	Wilson, Ind.
Denison	Kunz	Purnell	Winslow
Dickstein	LaGuardia	Quayle	Wolf
Dominick	Lampert	Ransley	Woodrum
Drane	Langley	Reed, Ark.	Zihlman
Drewry	Larson, Minn.	Reed, W. Va.	
Eagan	Lea, Calif.		
Edmonds	Lee, Ga.		

So the motion to concur in the Senate amendment was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. Davis of Minnesota with Mr. Cullen.
 Mr. Mills with Mr. Lea of California.
 Mr. Graham with Mr. Linthicum.
 Mr. Fenn with Mr. Richards.
 Mr. Connolly of Pennsylvania with Mr. Quayle.
 Mr. Hill of Maryland with Mr. Ward of North Carolina.
 Mr. Butler with Mr. Collins.
 Mr. McLeod with Mr. Arnold.
 Mr. Free with Mr. Martin.
 Mr. Morin with Mr. O'Connell of New York.
 Mr. Paige with Mr. McNulty.
 Mr. Michaelson with Mr. Dickstein.
 Mr. Strong of Pennsylvania with Mr. Buckley.
 Mr. Vare with Mr. O'Connor of New York.
 Mr. Reid of Illinois with Mr. Bloom.
 Mr. Purnell with Mr. Geran.
 Mr. Winslow with Mr. O'Sullivan.
 Mr. Denison with Mr. Pou.

Mr. Chindblom with Mr. Rogers of New Hampshire.
 Mr. Kless with Mr. Smithwick.
 Mr. Lampert with Mr. Wilson of Indiana.
 Mr. Morgan with Mr. Fulbright.
 Mr. Perkins with Mr. Morrow.
 Mr. Rogers of Massachusetts with Mr. Carew.
 Mr. Stalker with Mr. Browne of New Jersey.
 Mr. Larson of Minnesota with Mr. Griffin.
 Mr. Britten with Mr. Gallivan.
 Mr. Crowther with Mr. Bolling.
 Mr. Edmonds with Mr. Glatfelter.
 Mr. McFadden with Mr. Canfield.
 Mr. Johnson of Washington with Mr. Harrison.
 Mr. Moore of Illinois with Mr. Kunz.
 Mr. Parker with Mr. Clancy.
 Mr. Ransley with Mr. Lindsay.
 Mr. Sanders of Indiana with Mr. Corning.
 Mr. Swoope with Mr. Dominick.
 Mr. Taber with Mr. Mooney.
 Mr. Vincent of Michigan with Mr. Fulmer.
 Mr. Welsh with Mr. Sullivan.
 Mr. Zihlman with Mr. Johnson of West Virginia.
 Mr. Ward of New York with Mr. Celler.
 Mr. Sweet with Mr. Prall.
 Mr. Robison of Kentucky with Mr. Shallenberger.
 Mr. Porter with Mr. Woodrum.
 Mr. French with Mr. Boylan.
 Mr. Curry with Mr. Clark of Florida.
 Mr. Funk with Mr. Eagan.
 Mr. Phillips with Mr. Morris.
 Mr. Wertz with Mr. Favrot.
 Mr. Fredericks with Mr. Logan.
 Mr. Cooper of Ohio with Mr. O'Brien.
 Mr. Burdick with Mr. Drewry.
 Mr. Roach with Mr. Goldsborough.
 Mr. Tinkham with Mr. Bell.
 Mr. Bixler with Mr. Hammer.
 Mr. William E. Hull with Mr. Briggs.
 Mr. LaGuardia with Mr. Hayden.
 Mr. Kelly with Mr. Buchanan.
 Mr. Hall with Mr. Johnson of Kentucky.
 Mr. McLaughlin of Nebraska with Mr. Casey.
 Mr. Dempsey with Mr. Kerr.
 Mr. MacGregor with Mr. Lee of Georgia.
 Mr. Anderson with Mr. O'Connor of Louisiana.
 Mr. Haugen with Mr. Reed of Arkansas.
 Mr. Miller of Illinois with Mr. Oliver of New York.
 Mr. Perlman with Mr. Sears of Florida.
 Mr. Guyer with Mr. Sites.
 Mr. Foster with Mr. Vinson of Georgia.
 Mr. Clague with Mr. Weller.
 Mr. Fairfield with Mr. Sherwood.
 Mr. Browne of Wisconsin with Mr. Wolff.
 Mr. Frear with Mr. Drane.
 Mr. Nelson of Wisconsin with Mr. Kindred.
 Mr. Schall with Mr. O'Connell of Rhode Island.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will open the doors.

Mr. MADDEN. Mr. Speaker, I move to recede and concur in amendment No. 8.

The SPEAKER. The gentleman from Illinois moves to recede and concur in amendment No. 8, which the Clerk will report.

The Clerk read as follows:

FEDERAL OIL CONSERVATION BOARD

For the expenses of the Federal Oil Conservation Board convened by the President on December 18, 1924, and for each purpose connected therewith, to be expended at the discretion of the chairman of the board, and to remain available until June 30, 1926, \$50,000.

Mr. BLANTON. Will the gentleman give me two minutes on this?

Mr. MADDEN. I would like to explain it first. Mr. Speaker, the President appointed four Cabinet officers—the Secretary of War, Secretary of Navy, Secretary of Interior, and Secretary of Commerce—to act as a commission in an effort to devise a national policy to conserve and protect the oil in the ground and to facilitate and better the conditions under which oil is produced and distributed. The oil industry is one of the most important industries in the United States. The overproduction of oil is an acknowledged fact. The board was appointed by the President to study the cost of overproduction to the public and the industry, the disposal of the surplus in the fuel market, and kindred questions. Then, too, there is a great military and naval problem involved in the subject about which the President is very much concerned. He is anxious to have all the information that is obtainable anywhere so that he may be able to take intelligent action in respect to the best means by which to protect the public and to conserve this great industry, and to protect the fuel supply which we are called upon to use for military and naval purposes. Then, too, there is a further problem. It frequently happens that one department in the discharge of its duty is in conflict with another department, and the appointment of these Cabinet members for this purpose will enable them to cooperate on some intelligent and unified plan.

Mr. BARKLEY. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. BARKLEY. I understand this amendment commits the Republican Party now to oil investigations?

Mr. MADDEN. The President of the United States has always been anxious to get all the information on the subject that is available so that it can be used for the advantage of the American people, and no money can be better expended, in my judgment, than that which is proposed by this amendment.

Mr. BARKLEY. I am hoping the oil has not been all exhausted.

Mr. MADDEN. There was only one charge made against the President of the United States in connection with the oil investigation and that was that he had been sworn in by the light of an oil lamp, and that, of course, was such a flimsy charge that everybody in the country laughed at it, and he got an almost unanimous vote when election day came. [Applause.] Now the questions to be studied by this commission are these: How can the industry and the Government cooperate? What can be done in exploration of new pools of oil or oil fields without exploitation until the market demands warrant new production? What can the Government and industry do to cooperate best in an effort to encourage the creation of drill-tested reserves?

Mr. GARNER of Texas. Will the gentleman yield for a question?

Mr. MADDEN. I will.

Mr. GARNER of Texas. The \$50,000 is to employ experts to advise the President and the people of the United States how the Government and industry can cooperate. If so, how much does the gentleman believe they will give Doheny or Sinclair, experts, who had some experience showing how industry and the Government can get along together?

Mr. MADDEN. I do not know of any connection the administration had with Doheny or Sinclair. The testimony I read was that the only man who had a big fee from Doheny was a former Secretary of the United States Treasury, a Democrat. [Applause.]

Mr. McKEOWN. Will the gentleman yield for a question?

Mr. MADDEN. I will yield.

Mr. McKEOWN. Will this investigation involve the question of whether there is likelihood of a necessity for a tariff on crude oil? Do they make an investigation into that question?

Mr. MADDEN. I will tell the gentleman what the primary object of this is if the gentleman will give me time. The primary object of this study under Government auspices is the elimination of waste. That is the first object, and a very meritorious object.

It is the purpose of this board to conduct this inquiry so far as possible as a cooperative study to which representative oil men must be the largest contributors. The opportunity is here for the men who know the facts to come forward and suggest safe lines of remedial action.

It is suggested first, generally, in what direction do you consider that waste in the production could be reduced and stabilization effected? That is one of the things they propose to study. Next, What is the estimate on overproduction, if any, at this time? If there is overproduction, what is it costing the industry in the expense of storing, in damming, or in surplus fuel markets, or in any other way? What are the underlying causes of such overproduction, and the remedy? With the present development of technique as to finding oil and producing oil at a rate never before attained, how can a brake be put on against bringing in new pools and overproduction, and so on, ad infinitum.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. McKEOWN. I will say to the gentleman that I am heartily in favor of the proposition to conserve the great oil and gas supplies of the Nation, but I have insisted that there should be a tariff of at least 25 cents a barrel on the crude oil that comes in, and that fund used in further conserving oil and gas in this country.

Mr. MADDEN. The inquiry that is about to go on now will develop the need for greater or smaller production. It will develop the need for conservation. It will develop all the needs of the Government, and will enable the President of the United States to present the facts to us, so that if we need legislation we can legislate.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield there?

Mr. MADDEN. Yes.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield to me for a moment, so that I can ask a question of the gentleman from Oklahoma?

Mr. MADDEN. Yes.

Mr. BARKLEY. Does the gentleman from Oklahoma think that a tariff on oil would tend to keep out foreign oil from the United States and thereby enable us to save our own, and does the gentleman believe that would exhaust or conserve it sooner?

Mr. McKEOWN. If you had a tariff on crude oil in this country you would find there would be a supply, and the overproduction that you talk about would not exist. And, besides, the proposition is this: You have got to control and conserve the oil and gas, and then there is also the question of regulating pools. Pools are discoveries of wildcat wells, and it will be hard to prevent wildcat wells from bringing in oil if the wildcat prospectors happen to drill into them.

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. LINEBERGER].

The SPEAKER. The gentleman from California is recognized for five minutes.

Mr. LINEBERGER. Mr. Speaker, I do not think there is a Member of this House who has a greater interest in seeing that legislation of this nature and character is passed than myself. I live in a district which I believe produces more oil than all the rest of the districts in California combined, and California produces more than all the rest of the Nation combined. We have personal knowledge of the necessity of such a study of the oil industry. We are very proud of the fact we are the major source of the Nation's oil supply; yet this has presented a very serious problem in the matter of overproduction. It has caused wastage running into millions of dollars. It has caused the exploitation and more rapid exhaustion of fields, with resultant inadequate storage or refining facilities to take care of the product. It has created serious problems of congestion both on land and sea, particularly within the great harbor districts of Long Beach and Los Angeles. The nations of the world that control and economically conserve the future oil supply of the world will be the nations that will march in the vanguard of civilization. There has recently been written a very interesting book on this intensely interesting subject which should be read by every Member of this House who is interested in oil and in what it means not only to a nation's commercial prosperity but the relation it bears to that nation's leadership in world affairs. The book is known as *The Black Gold*.

Mr. McKEOWN. Mr. Speaker, will the gentleman yield for a question?

Mr. LINEBERGER. I have only five minutes, but I will yield to the gentleman for a short question.

Mr. McKEOWN. I just wanted to know if there was any suggestion or tendency in this matter looking to the Government taking over the oil industry?

Mr. LINEBERGER. I do not think so, Mr. Speaker. The American people, again voicing their sentiments in language that ought to be understood even in Wisconsin, are against such socialistic panaceas; they are against the crushing and penalizing of American initiative, which has made us a great people. The results at the ballot box on November 4 last year ought to leave no doubt in the gentleman's mind as to the answer to the question which he has propounded. This is a country where private initiative, private capital, and private operation in the fields of industry, especially those like the oil industry, requiring initiative and daring, have achieved results that have never been approached in any other nation of the world. Let us continue to develop the resources of our magnificent country in the good old American way. [Applause.]

It is quite interesting and amusing to a Republican from California to see the gentleman from Oklahoma [Mr. McKeown], who like his party is generally opposed to a tariff, getting up on the floor of the House and indicating by his remarks that he would like to see a tariff imposed on oil. I say this in all good nature. But it again demonstrates the general inconsistency of gentlemen on the Democratic side regarding the tariff question. [Laughter.]

Now, an endeavor has been made to inject a partisan angle into this matter by reference to the recent oil investigations. That has nothing to do with the meritorious legislation that is now proposed, but inasmuch as it has been raised on the other side of the aisle, I desire to observe that the American people were a jury before whom the recent oil accusations were tried on November 4, and when the verdict was announced there was the most overwhelming vote of confidence ever given in the history of the Nation to President Coolidge, attesting their implicit faith in his honor, his integrity, and his trustworthiness in all affairs affecting the welfare of our country. So that I do not think it is appropriate that that element should be injected into the debate. It might rise to again prove a future election boomerang to the party of the gentlemen who

suggest it. I trust that the legislation will pass. It is meritorious. [Applause.]

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER pro tempore. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Speaker, the Big Ranger oil field is in my district. The Big Breckinridge oil field is in my district. The Lacasa oil field is in my district. The Desdemona oil field and the Moran oil field are in my district. The Coleman County oil field is in my district, and there are other oil fields situated in the counties of my district. But I am against this commission. In my eight years of service here in the House of Representatives there has not been a commission among the many that have wasted millions of dollars that has been worth a penny to the people of the United States, in my judgment.

Now, it was offered as an excuse for voting, a few minutes ago, that \$50,000 for the so-called Agricultural Commission, that Congress was not in session when the President called it in November, although the commission met only a short time before Congress convened on the 1st of December.

The President could have waited for Congress to convene, but that so-called excuse does not apply to the present commission, because this present oil commission did not meet until 18 days after this Congress convened on the 1st of December. Congress convened on the 1st of December, and this commission met on the 18th day of December. If the President had thought it necessary to ask for \$50,000 to pay for this commission, why could he not have come to Congress on the 1st day of December and through the chairman of the Committee on Appropriations have had a joint resolution presented and passed in five minutes? If he thought it necessary, why did he wait 18 days after we convened and then, on his own motion, without any authority of law whatever, have a \$50,000 commission meet, and then come in now, at this late date, and ask that you pay the expenses of it out of the people's Treasury? I want to say we ought to stop it.

Mr. McKEOWN. Will the gentleman yield?

Mr. BLANTON. Yes; although I have only five minutes.

Mr. McKEOWN. Does not the gentleman realize that the oil business is in bad condition and that something has got to be done?

Mr. BLANTON. Let me say to the gentleman that this commission is not going to help it and you are not going to get from this Congress a general tariff on oil against the oil of Mexico. This commission is not going to help the people. They are going to spend this \$50,000, and after it is spent we will have nothing of value to show for it. Nothing will come from it except more taxes upon the people to meet the aggregate expense of all these commissions.

I have made up my mind definitely upon one point. I am going to vote against every proposition that comes up from now until doomsday, as long as I am in this Congress, that provides for new commissions. They are worthless; they are expensive; they are wasteful; they are nonproductive of any benefit to the people of the country, and every time I get a chance when you are creating these new commissions, if I can force it, I am going to force a roll call; I am going to let the Members who vote the money out of the Treasury go on record and let the country know who are voting for it and let the country know who are voting against it. If the country approves of the expenditure, all right, and if it disapproves of same it can call Members to account when you take this money out of the Treasury and waste it fruitlessly.

What good is it going to do? The chairman of the Appropriations Committee himself says he does not know a thing about this matter except from the little report they give him and which he repeats parrotlike from the floor.

Mr. MADDEN. I hope the gentleman will not put those words in my mouth.

Mr. BLANTON. No; but the gentleman did say he did not know anything about this matter.

Mr. MADDEN. I said I did not know anything about it first-hand.

Mr. BLANTON. Did the gentleman write that report?

Mr. MADDEN. No.

Mr. BLANTON. Somebody gave that report to the gentleman, and he has read it here like a parrot.

Mr. MADDEN. It is a report that has been written by the commission.

Mr. BLANTON. The chairman of the Appropriations Committee has read it on the floor and he has said he did not know anything about it.

Mr. MADDEN. I said I had no first-hand information about it. Of course, I do not make any secret of what I know,

Mr. BLANTON. I know the gentleman is frank and that is the reason I like him.

Mr. ALLGOOD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. ALLGOOD. Would not a vote for this appropriation tend to show the inefficiency of Congress?

Mr. BLANTON. Yes; it is just making a rubber stamp out of every one of us; it is just letting us put our vote to everything they initiate and send to us.

We are the legislative branch of the Government, and we can get all the information that this commission can get. There is not a bit of information which this commission can get but what the Secretary of the Interior and the Secretary of the Navy can get through their bureaus without expense. I do not intend to vote for it. It ought not to pass.

The SPEAKER pro tempore (Mr. ACKERMAN). The time of the gentleman from Texas has expired.

Mr. MADDEN. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. This is a Senate amendment carrying \$50,000 to pay the expenses of another commission which was created by the President without authority of law. The so-called agricultural conference, as was explained by the gentleman from Illinois [Mr. MADDEN], was formed at the time it was in order that that conference might have some opportunity to present some recommendation to Congress at this session in the effort to get immediate relief for the farmers. But there was no such excuse for the formation of this commission without authority of law—and I say that with all deference and respect—by the President. As has been stated, there was ample opportunity to come before the Congress and secure authority for the creation of this commission after Congress met in December. As has been pointed out, this commission was not organized until December 18.

I am opposed to so many commissions being appointed. I voted for the agricultural conference appropriation because I felt that anything that looked toward giving some information to those in authority in an effort to relieve the agricultural interests of this country was deserving of our consideration. I do not know what this oil commission is going to do, nor do you know what it is going to do. We did not have any hearings before the committee either of the House or the Senate. Not one line was stated to the committee with regard to what this commission was appointed for and what it is expected to accomplish. As a rule, I am willing to take the judgment of the gentleman from Illinois [Mr. MADDEN], but in a matter of this kind—when there was no real urgency and when there was ample opportunity to come before the House and give the legislative body the opportunity to consider a matter of which they have primary jurisdiction—it seems to me the President ought to have come here and requested authority for the appointment of this commission before he took it upon himself to appoint it without authority of law and involve the Treasury in the expenditure of \$50,000 which may or may not be of value to the country in general.

For this reason, not knowing anything about what this commission is going to do, it not having been explained to the committee or to the Congress why this is necessary, I am unwilling to vote \$50,000 to pay its expenses, especially since I do not understand any particular legislation is pending with which this commission will have to do during this session of Congress. If so, there will be ample opportunity for Congress to discuss it.

Mr. KING. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield to the gentleman.

Mr. KING. Has the gentleman any knowledge of the personnel of the commission?

Mr. BYRNS of Tennessee. Yes; I have that in a statement which has been submitted to me only in the last few hours. The organization is composed of the Secretary of War, the Secretary of the Navy, the Secretary of Commerce, and the Secretary of the Interior. Each of these officers has designated a representative to serve collectively as an advisory committee. This advisory committee is composed of the following: Dr. George Otis Smith, Director of the Geological Survey, chairman; Brig. Gen. Edgar Jadwin, Assistant Chief of Engineers, War Department; Rear Admiral Harry Harwood Rousseau, United States Navy; and Mr. Guy C. Riddell, Chief Minerals Division, Department of Commerce.

Mr. KING. There are no outsiders then who are members of the commission?

Mr. BYRNS of Tennessee. No. I have read to the gentleman the statement that has been given me as to the membership of the commission.

Mr. KING. I wanted to find out whom the Standard Oil Co. had recommended; that is all.

Mr. MADDEN. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois to recede and concur.

The question was taken, and the Chair being in doubt, the committee divided; and there were—ayes 65, noes 45.

Mr. BLANTON. Mr. Speaker, I object to the vote and make a point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum. The Chair will count. [After counting.] One hundred and fifteen Members present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken, and there were—yeas 158, nays 120, not voting 153, as follows:

[Roll No. 30]

YEAS—158

Ackerman	Fish	Leavitt	Sinnott
Aldrich	Fitzgerald	Leibach	Smith
Andrew	Fleetwood	Lineberger	Snell
Anthony	Freeman	Longworth	Speaks
Ayres	Fuller	Luce	Sproul, Ill.
Bacon	Gibson	McKeown	Sproul, Kans.
Barbour	Gifford	McLaughlin, Mich.	Stephens
Barkley	Green	MacLafferty	Strong, Kans.
Beck	Griest	Madden	Summers, Wash.
Beedy	Guyer	Magee, N.Y.	Swank
Beers	Hadley	Magee, Pa.	Taylor, Tenn.
Begg	Hall	Manlove	Temple
Berger	Hammer	Mapes	Thatcher
Boies	Hardy	Merritt	Thompson
Brumm	Hastings	Michener	Tilson
Burdick	Haugen	Miller, Wash.	Timberlake
Burness	Hawes	Moore, Ohio	Tincher
Burton	Hawley	Moore, Ind.	Underhill
Cable	Hersey	Murphy	Underwood
Campbell	Hickey	Nelson, Me.	Vaile
Carter	Hill, Wash.	Newton, Minn.	Vestal
Christopherson	Hoch	Newton, Mo.	Vincent, Mich.
Clarke, N. Y.	Holaday	Nolan	Voigt
Cole, Iowa	Howard, Okla.	Patterson	Wainwright
Colton	Hudson	Peavey	Wason
Cooper, Wis.	Hudspeth	Raker	Watres
Cramton	Hull, Iowa	Ramseyer	Watson
Crowther	Hull, Morton D.	Rathbone	White, Kans.
Dallinger	James	Reece	White, Me.
Darrow	Johnson, S. Dak.	Reed, N. Y.	Williams, Ill.
Davey	Kearns	Reed, W. Va.	Williams, Mich.
Davis, Minn.	Keller	Robinson, Iowa	Wilson, La.
Dickinson, Iowa	Kelly	Sanders, N. Y.	Winter
Dowell	Ketcham	Schneider	Wood
Doyle	Kindred	Scott	Woodruff
Dyer	King	Sears, Nebr.	Wurzbach
Elliott	Knutson	Seger	Wyant
Evans, Iowa	Kopp	Shreve	Zihlman
Fairchild	Kurtz	Simmons	
Faust	Leatherwood	Sinclair	

NAYS—120

Abernathy	Doughton	Larsen, Ga.	Rouse
Allen	Drane	Lazaro	Rubey
Allgood	Driver	Lilly	Sabath
Almon	Evans, Mont.	Lowrey	Salmon
Aswell	Fisher	Lozier	Sanders, Tex.
Bankhead	Gambrell	Lyon	Sandlin
Bell	Gardner, Ind.	McClintic	Sherwood
Bland	Garner, Tex.	McDuffie	Spearing
Blanton	Garrett, Tenn.	McReynolds	Steagall
Box	Garrett, Tex.	McSweeney	Stedman
Boyce	Gasque	Major, Ill.	Stengle
Brand, Ga.	Gilbert	Major, Mo.	Stevenson
Browning	Greenwood	Mansfield	Summers, Tex.
Buchanan	Harrison	Mead	Taylor, Colo.
Bulwinkle	Hill, Ala.	Milligan	Taylor, W. Va.
Busby	Hooker	Montague	Thomas, Ky.
Byrns, Tenn.	Howard, Nebr.	Moore, Ga.	Thomas, Okla.
Cannon	Huddleston	Moore, Va.	Tillman
Cleary	Hull, Tenn.	Morehead	Tucker
Collier	Humphreys	Morrow	Tydings
Connally, Tex.	Jacobstein	Oldfield	Upshaw
Connery	Jeffers	Oliver, Ala.	Vinson, Ky.
Cook	Johnson, Tex.	Park, Ga.	Ward, N. C.
Crisp	Jones	Parks, Ark.	Watkins
Croft	Jost	Peery	Weaver
Crosser	Kent	Quin	Wefald
Cummings	Kincheloe	Ragon	Williams, Tex.
Davis, Tenn.	Kvale	Rankin	Wilson, Miss.
Deal	Lanham	Rayburn	Wingo
Dickinson, Mo.	Lankford	Romjue	Wright

NOT VOTING—153

Anderson	Browne, Wis.	Collins	Fairfield
Arnold	Buckley	Connolly, Pa.	Favrot
Bacharach	Butler	Cooper, Ohio	Fenn
Bixler	Byrnes, S. C.	Corning	Foster
Black, N. Y.	Canfield	Cullen	Frear
Black, Tex.	Carew	Curry	Fredericks
Bloom	Casey	Dempsey	Free
Bowling	Celler	Denison	French
Boylan	Chindblom	Dickstein	Frothingham
Brand, Ohio	Clague	Dominick	Fulbright
Briggs	Clancy	Drewry	Fulmer
Britten	Clark, Fla.	Eagan	Funk
Browne, N. J.	Cole, Ohio	Edmonds	Gallivan

Garber	McFadden	Parker	Snyder
Geran	McKenzie	Perkins	Stalker
Glatfelter	McLaughlin, Nebr.	Perkman	Strong, Pa.
Goldsborough	McLeod	Phillips	Sullivan
Graham	McNulty	Porter	Sweet
Griffin	McSwain	Pou	Swing
Hayden	MacGregor	Prall	Swoope
Hill, Md.	Martin	Purnell	Taber
Hull, William E.	Michaelson	Quayle	Tague
Johnson, Ky.	Miller, Ill.	Rainey	Tinkham
Johnson, Wash.	Mills	Ransley	Treadway
Johnson, W. Va.	Minahan	Reed, Ark.	Vare
Kendall	Mooney	Reid, Ill.	Vinson, Ga.
Kerr	Moore, Ill.	Richards	Ward, N. Y.
Kless	Morgan	Roach	Weller
Kunz	Morin	Robison, Ky.	Welsh
LaGuardia	Morris	Rogers, Mass.	Wertz
Lampert	Nelson, Wis.	Rogers, N. H.	Williamson
Langley	O'Brien	Rosenbloom	Wilson, Ind.
Larson, Minn.	O'Connell, N. Y.	Sanders, Ind.	Winslow
Lea, Calif.	O'Connell, R. I.	Schafer	Wolff
Leach	O'Connor, La.	Schall	Woodrum
Lee, Ga.	O'Connor, N. Y.	Sears, Fla.	Yates
Lindsay	O'Sullivan	Shallenberger	
Linthicum	Oliver, N. Y.	Sites	
Logan	Paige	Smithwick	

So the motion of Mr. MADDEN was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Minahan (for) with Mr. Black of New York (against).

Until further notice:

Mr. Perkins with Mr. Tague.
Mr. Bixler with Mr. Black of Texas.
Mr. Fairfield with Mr. Byrnes of South Carolina.
Mr. Hill of Maryland with Mr. Fulmer.
Mr. Brand of Ohio with Mr. Rainey.
Mr. Bacharach with Mr. Sites.
Mr. Kendall with Mr. O'Connell of Rhode Island.
Mr. Frothingham with Mr. Johnson of West Virginia.
Mr. Swing with Mr. Bolling.
Mr. Yates with Mr. Cullen.
Mr. Treadway with Mr. Drewry.
Mr. Johnson of Washington with Mr. Johnson of Kentucky.
Mr. Leach with Mr. McSwain.
Mr. Frear with Mr. Reed of Arkansas.

The result of the vote was announced as above recorded.

The doors were opened.

WORLD WAR FOREIGN DEBT COMMISSION

Mr. GREEN. Mr. Speaker, I call up the bill (H. R. 9804) to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign governments held by the United States of America, and for other purposes," approved February 9, 1922, as amended February 28, 1923, being the unfinished business from last Thursday.

The SPEAKER. The gentleman from Iowa calls up a bill which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of February 9, 1922, as amended, creating and establishing the World War Foreign Debt Commission be, and hereby is, further amended so that section 4 of said act of February 9, 1922, shall read as follows:

"SEC. 4. That the authority granted by this act shall cease and determine at the end of two years from February 9, 1925."

Mr. GREEN. Mr. Speaker, the bill I present to the House on behalf of the Ways and Means Committee proposes to extend the authority of the Foreign Debt Commission for a period of two years from February 9, 1925. Before I proceed with the subject matter of the bill I wish to make a short statement with reference to the statement made by the distinguished gentleman from Tennessee [Mr. GARRETT] on Thursday last at the time of adjournment. That was with reference to the authority of Congress to so modify this act. My understanding from a conversation with the gentleman from Tennessee is that at the time he made the suggestion of inquiry into the authority of Congress to so do he did not have the bill before him. I am now informed that at this time he has no question about that matter.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GREEN. With pleasure.

Mr. GARRETT of Tennessee. Perhaps I did not make myself quite clear the other afternoon when the matter was up. I never had any doubt about the power of Congress to extend the authority of the commission to such time as might be proper. That which was in my mind was a doubt whether the bill was so worded that it would carry the present commission with it; whether that power will go with the act of Congress. I did not have the text before me. I did not question the power of Congress contained in this bill.

I think it is quite likely that there ought to be a new reapportionment by the President; but that is for him to determine.

Mr. GREEN. I shall not discuss that matter, because it is not before the House and is not involved in the bill.

Mr. GARNER of Texas. Will the gentleman yield?

Mr. GREEN. I yield with pleasure to my colleague on the committee.

Mr. GARNER of Texas. Whether or not the bill carries with it the effect of designating the present members to continue the commission makes very little difference. The bill must be passed whether it extends the life of the present commissioners or not, because if we are going to negotiate with foreign governments other than through diplomatic channels we must have a commission. In either event it is the duty of Congress to pass the bill if it wants to negotiate through a commission to report to Congress.

Mr. GREEN. The gentleman is entirely correct. Now for fear there may be lingering doubt on the part of some Members as to the question which was raised the other afternoon I will say that Congress has frequently extended the duration of other commissions and the Supreme Court has passed on the authority of Congress so to do.

The Members of the House will remember that at the close of the war we had loaned to foreign governments a sum approximating ten and one-half billion dollars. As evidence of this indebtedness on the part of foreign nations our Government held only some instruments signed by various diplomatic representatives of foreign powers which stated the amount which had been received. There was nothing agreed upon as to when these amounts should be repaid. There was an agreement as to interest, but other than that there was nothing definite with relation to the terms of the loan.

After the war it became evident that something further ought to be done with reference to the matter in order to get the acknowledgment of this indebtedness in definite form and have an express agreement on the part of the debtors in relation to the time when it should be paid. The original bill was passed for the purpose of providing a commission with authority to negotiate with foreign governments.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GREEN. Mr. Speaker, I ask for five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREEN. It was found that these negotiations could not well proceed through the ordinary diplomatic channels. I do not think it is necessary that I should explain why, for the reasons are quite obvious to Members of the House. There was no opposition, as I remember now, to the original bill, which passed the House with practical unanimity.

The commission has proceeded with the work placed upon it by the provisions of the act and has succeeded in negotiating agreements for the settlement of these debts with Great Britain, Finland, Hungary, Lithuania, and Poland. The debts so funded amount to over \$4,000,000,000.

The total amount of indebtedness of foreign nations at this time is something over \$12,000,000,000, including interest. The House will see that about 42 per cent has been funded, but that more than half still remains without any definite agreement as to the time of payment and other matters which ought to be settled.

The original bill provided that the authority of the commission should expire on the 9th of February, 1925. It is obvious to any gentleman who has given any attention to these matters that it will be utterly impossible to finish the negotiations which are necessary with the other nations in that very limited period. In fact, we have so closely approached the time when the authority of the commission will expire that it is necessary for us to proceed actively to the passage of this bill in order that it may become a law. So far as I know, there is no opposition to the bill, and its necessity is very apparent.

I think it is evident to every Member that the task put upon the commission was one of great difficulty, and delicacy. Members of the commission were expected to obtain settlements which would provide for the payment of these enormous sums, and to negotiate these agreements with nations which were already hard pressed, staggering under an enormous load of indebtedness, and very heavily taxed. It was impossible to compel a settlement. In order to arrive at a settlement it was necessary to obtain the consent of the debtor, and the approval of the respective governments of these nations which were owing the United States. This task has so far been performed by the members of the commission with great ability. The distinguished gentleman from Ohio [Mr. BURTON] and the distinguished gentleman from Georgia [Mr. CRISP], a member of the Committee on Ways and Means, are members of this

commission, and have performed their part of the work with great credit to themselves, and I am sure to the satisfaction of the House. The gentleman from Ohio [Mr. BURTON] has been not only exceedingly valuable to the commission in the work of the commission proper, but also on account of his wide acquaintance in Europe with prominent men and his previous experience has been very helpful outside of the direct work of the commission. The gentleman from Georgia [Mr. CRISP] on whose judgment I am sure every Member of the House relies, and who has often shown himself possessed of rare discretion and tact, has manifested these qualities also throughout the performance of his duties, and both of these gentlemen I believe are entitled to, and without any formal act will receive the thanks of the Congress for the work which they have so ably performed. [Applause.] I think that is all I care to say in opening this discussion.

Mr. THATCHER. Mr. Speaker, will the gentleman yield?

Mr. GREEN. Yes.

Mr. THATCHER. Why is the time limit fixed at two years?

Mr. GREEN. It is hoped that they will be able to finish negotiations within that time, and it seemed likely that they would not be able to finish the work in much less than that time. The period fixed is to some extent arbitrary.

Mr. THATCHER. It could be longer, I suppose?

Mr. GREEN. It could be longer.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. GREEN. Yes.

Mr. SNELL. As a matter of fact there is nothing else to do but to pass this bill.

Mr. GREEN. Certainly; there is no question that we will have to take this action.

The SPEAKER. The time of the gentleman from Iowa has again expired.

Mr. BURTON. Mr. Speaker, just one word. If there is any lingering doubt in regard to the right of Congress to extend the life of this commission, I desire to set forth certain general principles. As a general proposition the legislative branch of the Government has the right to create or abolish offices. That is, of course, subject to certain restrictions, constitutional in their nature, or in case there is the element of contract in the agreement between the state or the Government and the holder of an office. Then a question may arise also as to tenure on the time during which those chosen may serve. The two Houses by concurrent resolution may choose members of a committee or a commission, but the better way in case any body of that kind is to act for a longer period than the life of one Congress is to make provision by statute, and that is this case. It is unnecessary to consider any other phase of the question.

I quote from a Supreme Court report which clearly states the law on the subject (134 U. S. Reports, Crenshaw v. United States, p. 99), and I make special reference to page 106. This is a quotation from a prior case in One hundredth United States Report:

The legislative power of a State, except so far as restrained by its own constitution, is at all times absolute with respect to all offices within its reach. It may at pleasure create or abolish them, or modify their duties. It may also shorten or lengthen the term of service.

In speaking of offices it says further on, on the same page:

Every succeeding legislature possesses the same jurisdiction and power with respect to them as its predecessors. The latter have the same power of repeal and modification which the former had of enactment, neither more nor less. All occupy, in this respect, a footing of perfect equality. This must necessarily be so in the nature of things. It is vital to the public welfare that each one should be able at all times to do whatever the varying circumstances and present exigencies touching the subject involved may require.

That is not from a decision of the Supreme Court, but it is quoted from an English decision with approval.

I think that there is no doubt that it is within the power of Congress to continue the present members or that this resolution does continue them.

There may be some difference of opinion, but this commission is an agency to do a certain work. That work is to be done by certain appointees. The statute creating this agency extends its life for a couple of years in order that the work may be finished, and I think by necessary implication, unless there is some statement to the contrary, that carries with it the continuance of those who have been engaged in the work and have been already appointed.

There are a number of precedents. The Industrial Commission was created in 1898, and the term was limited to two

years. That body was somewhat similar to this commission in that there were 5 Members of the Senate, 5 of the House, and 9 to be appointed by the President, to be confirmed by the Senate. Before the date had expired an amendment to the law was adopted continuing its life until December 15, 1901. It is to be noted this extension carries the life of the commission into the term of the following administration. Then, again, a separate act was passed on the 14th of December, 1901, extending the life of the commission to February 15, 1902. There was no appointment of other members. The same persons acted under both extensions.

A somewhat similar case is that of the War Finance Corporation, although in that case the corporation under the statute had become, I may say, defunct, and the phraseology used in the resolution continuing it is, "Said corporation shall be at once rehabilitated."

I refer to this because it shows that Congress recognized a right to extend the life of an organization created by it. There were some three or four extensions.

In that case there were, I believe, some other members chosen. I have only to say in conclusion, Mr. Speaker, that I think this resolution clearly meets the case, and it is entirely within the power of the Congress to pass it.

Mr. FISH. Mr. Speaker, as I understand this resolution, it extends the term of the members of the Debt Funding Commission, and in extending the term of the members of the commission it also extends the powers of the commission.

Mr. GREEN. Will the gentleman yield?

Mr. FISH. I will yield.

Mr. GREEN. The amendment just made by virtue of the bill does not extend the term of the commission except as it extends the authority of the commission. The only provision in the bill is to extend the authority of the commission—that is, the commission as a body, not of the individual members of it—for a period of two years.

Mr. FISH. That amounts to the same thing; the authority of the commission is continued, and therefore we have before the House the whole question of the debt settlement, and this is the first time for a long time the House has been in a position to ask for information from the members of the Debt Commission. The Members of the House, if they want any information, as a rule get it from the newspapers. We have been relying largely upon the newspapers for information regarding the funding of these debts, and I desire at this time to take advantage of the opportunity to ask some questions of the members of the commission who are also Members of the House. Gentlemen, we are responsible for the public moneys. We created this debt commission, and we are entitled to all available information. There has been a lot of talk in some of our newspapers, Mr. Speaker, to the effect that a sentiment existed in this country in favor of cancellation. So far I fail to find any of that sentiment, and I would like to know, for one, if that sentiment actually exists, or at least if it exists in this House.

I would like to know, Mr. Speaker, if there is one individual Member in the House of Representatives who is in favor of the cancellation of any part of these debts. Unfortunately some of our citizens who spend a large part of their time abroad are constantly going to the French authorities and stating that we back here in America do not intend to ask to have these war debts funded. They carry misinformation which is detrimental to our Government and to the authorities in France, and lead them actually to believe that Members of the House of Representatives and the Senate are in favor of cancellation, and therefore I rise to find out in the first instance, Mr. Speaker, whether there is any Member who desires at this time to speak in favor of the cancellation of any part of these foreign debts.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FISH. I yield.

Mr. GARRETT of Tennessee. Does the gentleman know of any utterance from any official source in the United States, legislative or executive, which has ever at any time in any way carried the slightest intimation that the Government looks with any degree of favor upon the cancellation of these debts?

Mr. FISH. I thank the gentleman for asking that question. That is the exact point I am trying to bring out, that these people who live abroad take it upon themselves to speak for us in a semiofficial way. As the gentleman knows, these proposals are often handled in a semiofficial way, and much harm can be done by individuals in indicating there is such a sentiment. I think it is only fair to France and to other debtor nations to let those governments know that there is no such sentiment in the House or in the Senate or among the

people of the country. These debts are considered as just and legal debts, made in good faith.

Mr. GARRETT of Tennessee. If the gentleman will yield, I can hardly believe it possible that any official of France or any other country could be deceived about that matter. Certainly official France must know that no official utterance of this country has ever indicated any purpose or willingness to do such a thing. Official France must know that.

Mr. FISH. The gentleman must know—

The SPEAKER. The time of the gentleman has expired.

Mr. FISH. I will ask for five additional minutes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. FISH. The gentleman must know seven years have gone by and there has been no official attempt on the part of France to fund these debts; and if I am wrong, there are members of the commission here to correct me. As far as I know, there has been no official offer made to fund the debt, not to pay the principal, not necessarily to pay the interest immediately, but to fund the obligations. I would like to know from the members of the commission who are here if there has been in the last seven years a single official offer from the French Government to fund these debts.

Mr. ANDREW. Will the gentleman yield?

Mr. FISH. I will.

Mr. ANDREW. Can the gentleman state whether any French official in public life in France has ever suggested a cancellation of the debt?

Mr. FISH. I will say to the gentleman he well knows that the recent financial report left out all mention of these debts in the balance sheet, ignoring them entirely.

Mr. ANDREW. That was quite to be expected in the annual budget. In the budget one does not include either assets or obligations upon which no payments are expected to be made or received during the year. We do not do that in our own Budget any more than they would in France. But does the gentleman know of any French official, President, Prime Minister, or any authority of the French Government who has ever asked for cancellation?

Mr. FISH. I will say this to the gentleman that I know that in the last four years, since 1920, Mr. Speaker, that the French Government have loaned approximately three billions of francs to foreign nations.

Mr. LINEBERGER. Mr. Speaker, will the gentleman yield right there?

Mr. FISH. In one minute. And they have not as yet made any official offer or indicated in any official way their intention with respect to these debts that have been owing to us.

Mr. ANDREW. Mr. Speaker, will the gentleman yield once more?

Mr. FISH. I can not yield. I would like to finish.

In order to confirm the statement that I have made, that France has loaned approximately 3,000,000,000 francs to other nations, I would like to point out the fact that France in the last four years has loaned to Belgium 900,000,000 francs and has loaned to Poland 600,000,000 francs and has loaned to Czechoslovakia 400,000,000 francs and to Yugoslavia 400,000,000 francs, and I believe to Rumania 400,000,000 francs.

Mr. LINEBERGER. Mr. Speaker, will the gentleman yield there?

Mr. FISH. Yes.

Mr. LINEBERGER. Did they loan this in actual money, or was it in the form of supplies of various kinds? Was it not simply a paper credit, for supplies and manufactured articles, and things of that kind, shipped to those Governments? Was it not a trade balance rather than a loan of money?

Mr. FISH. I think the money was loaned by France so that those countries could buy property in France of private individuals in France.

Mr. LINEBERGER. I think the gentleman will recognize that credits were extended, and not money loaned.

Mr. ANDREW. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. ANDREW. Does the gentleman know that in the six years since the armistice the French Government has only loaned to other governments or extended credit to other governments an aggregate of \$68,000,000, which is only a little more than \$11,000,000 a year? Does the gentleman not know that a great portion of these credits were made to Poland, a new country, with no arms and no munitions, when she was threatened by the Russian army from Soviet Russia, and that France, after five years of war, had on hand vast supplies of uniforms and materials and other equipment for the armies that she had raised, and that she put \$22,000,000

worth of those supplies for which she had no use, at the service of Poland? For these supplies Poland could not pay in cash, but she gave to France her promise to pay, and that is the way France's loan to Poland came to be. France, by this act, saved Poland and Europe from an amazing catastrophe.

Mr. FISH. I do not want to dispute the heroic services of France with the gentleman. I do not know how this money was paid over by France, but the figures I have received show that the loans amount to almost 3,000,000,000 of francs, and I know that not one cent of interest has been paid to the American public; not to Congress, but to the taxpayers of America, who bought Liberty bonds to help win the war.

Mr. ANDREW. Will the gentleman explain where he got his figures?

Mr. FISH. I got most of my figures from European countries. I got them in France, out of the French financial books themselves, and I have checked them up since I have been here.

Mr. ANDREW. I know that the gentleman from New York wants to be fair, as every Member of the House wants to be fair, and—

Mr. FISH. I think this matter should be fully discussed by Congress. We are responsible for the expenditure of the public money.

Mr. ANDREW. If I can have five minutes of time, I can put before the House the exact figures.

Mr. FISH. Go ahead now, or you can do that in your own time.

Mr. TILSON. Mr. Speaker, I wish to claim recognition as a member of the committee.

Mr. BROWNING. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. BROWNING. Has the gentleman from New York read the speech made by the gentleman from Georgia [Mr. CRISP] on this subject, and does he not think that it clears up everything of interest regarding this debt? It is full and succinct, and it has been published in the New York papers in full.

Mr. GREEN. Mr. Speaker, the gentleman from Georgia at that time stated that the commission would refuse to entertain any such proposition.

Mr. FISH. The law of Congress provides that the commission can not admit any cancellation of the debt.

Mr. LOZIER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. LOZIER. Is not the gentleman from New York informed of the fact that all the propaganda we have had as to the cancellation of the French debt is incubated in his own city by the international bankers and those engaged in international trade? Is not that the only place where there has been developed any sentiment of that kind?

Mr. FISH. The gentleman may possibly be correct as to that, but I do not happen to represent the city of New York. The gentleman may possibly be right.

Mr. TILSON rose.

Mr. FISH. I yield to the gentleman from Connecticut.

Mr. TILSON. No; I do not wish the gentleman to yield. I wish to speak in my own right.

Mr. FISH. Mr. Speaker, I want to emphasize the fact that there is not a Member of the House of Representatives, including my good friend from Massachusetts [Mr. ANDREW], who advocates the cancellation of these debts. These debts were incurred in good faith. The money we loaned France was not gathered from the trees. It was raised by the sale of Government bonds, which legislation was initiated in this House. Those bonds were taken by the American people for patriotic reasons, and I contend that it is only fair to France and to the other debtor nations to let them know how we feel on this subject. We do not intend to press France or any other nation or back them up against the wall, but we do believe that it is about time that France and the other debtor nations make some official offer to fund these loans, which are legal, which are just, and which the American people made in good faith.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. GREEN. Reserving the right to object, Mr. Speaker, although I shall not object to this extension, I shall be compelled to object to any further extension of time.

Mr. TILSON. Mr. Speaker, reserving the right to object, the gentleman from New York has made his position perfectly

clear. I think the position of other Members of this House is perfectly clear, and the position of the House itself is perfectly clear. The gentleman from New York is really not discussing matters pending before the House. There are questions—and this is probably one of them—where the less they are discussed, without particular aim or purpose, the better. I think it is time to stop the discussion of this question.

The gentleman has already made himself very clear.

Mr. FISH. But I yielded to everybody and really have not made my statement. I let everybody else speak.

Mr. LINEBERGER. Mr. Speaker, reserving the right to object, I do not think that this matter, which is somewhat delicate in nature, and which has been entrusted to a very honorable commission, on which certain distinguished Members of this body are now serving, should be further aired. It is evident there is no sentiment in this country for cancellation, and it is quite evident to me, as has been well stated by my colleague from Massachusetts [Mr. ANDREW], that there is no sentiment in France, certainly no official sentiment there, which is seeking the cancellation of these debts. So I object.

Mr. ANDREW. Under leave to extend my remarks I wish to add a brief explanation with tables concerning the loans made by the Government of France since the armistice.

The impression has been given to-day that while France owed the United States some three and one-half billions of dollars, instead of taking steps to meet her obligations she has been lending lavishly to other countries. This impression is mistaken both as to the amount and as to the character of the loans.

What are the facts?

In the six years since the armistice the French Government has made loans to other governments aggregating in all about \$68,000,000, or an average of only a little more than \$11,000,000 per year.

Her principal borrower has been Poland, to which she has loaned in six years \$28,000,000. Most of this—a little over \$22,000,000—was lent to Poland in 1919 and 1920, at a time when Poland was menaced by the Bolshevik army. Poland was a new country, created or re-created by the war. Poland had not existed as an independent country for a hundred years. She had no army, no uniforms, no arms or ammunition, and she had no funds in her treasury. Yet she was threatened with extinction by the onrushing army of the Bolsheviks. France, on the other hand, had a great surplus of war material—uniforms, equipment, guns, and ammunition, the accumulation of five years of war—which she no longer needed and which she was glad to dispose of at a very low price. She sold this surplus material to the Polish Government in the hour of Poland's need, and she took in exchange, not cash, which Poland did not have at the time, but Poland's promise to pay. This was the origin of these loans.

Some of you may remember that in 1920 the Bolshevik Army was within a few hours' march of Warsaw. They could hear the guns in Warsaw. And France sent over General Weygand, the chief of staff of Marshal Foch, and some 500 French officers, who arrived just in time to take charge of the situation, save Warsaw, and put the red army to rout. By doing so they preserved Europe from an unimaginable disaster, and France rendered a service not only to Poland but to the whole world, a service scarcely less important than that which she had rendered a few years before at the Marne and at Verdun.

For the war material given to Poland at the time Poland promised to pay France about \$22,000,000, not an excessive sum considering its prodigious importance to that country and to the world. Since that time France has extended credits to Poland for about \$6,000,000, and that makes a total of about \$28,000,000. That is all.

Next to Poland comes the new country of Yugoslavia, of which Serbia is a part. You remember, I trust, what happened to that little country during the war, how for a time it was practically blotted out. Well, after the war France sent to that country some of her surplus material, some of it rolling stock, some of it engineering supplies and materials of construction, some of it war supplies; and she took her promise to pay—in 1919 and 1920—about \$11,000,000. And then, as Yugoslavia could not meet the coupons on her bonds, France loaned her in 1919 about two and one-half million dollars for that purpose. In all, she has loaned Yugoslavia about nineteen and one-half million dollars.

Next comes Rumania, to which war-ridden country she has also sold on credit surplus materials, partly rolling stock, partly war equipment, and taking her promise to pay for about \$13,000,000.

To Czechoslovakia, also a new country, she disposed of about \$6,000,000 worth of surplus material, and to Greece about one and one-fourth millions.

That is the whole story. It aggregates in all for six years \$68,000,000. It represents for the most part the disposal of surplus supplies to new countries that had none and were hard pressed. France helped in this way in their reconstruction and rehabilitation. The innuendoes made and the inferences drawn to-day are very unfair.

Credits extended by the French Government to other European countries since the armistice

TABLE I.—TOTAL AMOUNT OF LOANS FROM 1919 TO 1924, INCLUSIVE (IN ROUND NUMBERS)

(Francs translated at 5½ cents)

	Dollars	Francs
Poland.....	28,000,000	525,480,000
Yugoslavia (Serbia).....	20,000,000	365,050,000
Rumania.....	13,000,000	245,141,500
Czechoslovakia.....	6,000,000	111,661,000
Greece.....	1,000,000	24,000,000
Total.....	68,000,000	1,271,332,500

Character, purpose, and year of above loans, by countries

TABLE II.—POLAND

	Dollars	Francs
1919—For clothing of troops.....	245,000	4,600,000
Surplus war material.....	20,800,000	390,000,000
Polish National Committee.....	88,000	1,650,000
1920—Surplus war material.....	906,000	17,000,000
International Relief Committee.....	12,000	230,000
1921—Economic organization, Upper Silesia.....	640,000	12,000,000
1922—None.....		
1923—None.....		
1924—For purchases from French industries, mostly military.....	5,333,000	100,000,000
Total, 6-year period.....	28,024,000	525,480,000

TABLE III.—YUGOSLAVIA

	Dollars	Francs
1919—Surplus material.....	9,066,000	170,000,000
For payment of coupons and expenses of legations.....	2,500,000	48,000,000
1920—Surplus material.....	1,066,000	20,000,000
For payment of coupons and expenses of legations.....	1,250,000	24,000,000
1921—Surplus material.....	149,000	2,800,000
For relief work.....	13,000	250,000
1922—None.....		
1923—None.....		
1924—For purchases from French industries.....	5,333,000	100,000,000
Total, 6-year period.....	19,467,000	365,050,000

TABLE IV.—RUMANIA

	Dollars	Francs
1919—Surplus war material and rolling stock.....	6,400,000	120,000,000
Payment of coupons and expenses of legations.....	1,267,000	23,750,000
1920—Payment of coupons in France, etc.....	49,000	919,000
1921—For relief work.....	25,000	472,500
1922—None.....		
1923—None.....		
1924—Surplus material.....	5,333,000	100,000,000
Total, six-year period.....	13,074,000	245,141,500

TABLE V.—CZECHOSLOVAKIA

	Dollars	Francs
1919—Surplus war material.....	5,867,000	110,000,000
Expenses of legations.....	53,000	1,000,000
1920—None.....		
1921—For relief work.....	35,000	661,000
Total, six-year period.....	5,955,000	111,661,000

TABLE VI.—GREECE

	Dollars	Francs
1919—Surplus material.....	1,280,000	24,000,000

Mr. TILSON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. FISH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point that there is no quorum present.

Mr. GARRETT of Tennessee. The bill has passed, and the gentleman can not get a vote on the bill by making that point.

Mr. FISH. No; I am for the bill; I am very strongly in favor of the bill, but I would like to make the point of no quorum, and I have raised that point.

Mr. GARRETT of Tennessee. The gentleman has the right to make the point of no quorum.

Mr. FISH. Mr. Speaker, I have the right to call for a division, have I not?

Mr. TILSON. Not now.

The SPEAKER. It is too late now. The gentleman from New York makes the point of order that there is no quorum present. It is clear there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Connecticut moves a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 31]

Aldrich	Edmonds	Leatherwood	Reed, Ark.
Anderson	Fairfield	Leavitt	Reid, Ill.
Anthony	Favrot	Lee, Ga.	Richards
Arnold	Fenn	Lathicum	Roach
Aswell	Foster	Logan	Robison, Ky.
Ayres	Frear	McDuffie	Rogers, Mass.
Bacharach	Fredericks	McFadden	Rogers, N. H.
Bixler	Free	McKenzie	Rosenbloom
Bloom	French	McLaughlin, Nebr.	Sabath
Boles	Frothingham	McLeod	Sanders, Ind.
Bowling	Fullbright	McNulty	Schafer
Boylan	Fulmer	MacGregor	Schall
Brand, Ohio	Funk	Martin	Shallenberger
Briggs	Gallivan	Michaelson	Sites
Britten	Garrett, Tex.	Miller, Ill.	Smithwick
Browne, N. J.	Geran	Milligan	Snyder
Browne, Wis.	Gilbert	Mills	Spearing
Brunn	Glatfelter	Montague	Stalker
Buckley	Goldsborough	Mooney	Strong, Pa.
Butler	Graham	Moore, Ill.	Sullivan
Canfield	Griffin	Morzan	Sweet
Carew	Hall	Morin	Swoope
Celler	Hawes	Morris	Taber
Chindblom	Hill, Md.	Nelson, Wis.	Tincher
Clague	Howard, Okla.	Nolan	Tinkham
Clancy	Hull, Tenn.	O'Brien	Treadway
Clark, Fla.	Hull, William E.	O'Connell, N. Y.	Tucker
Cole, Ohio	Johnson, Wash.	O'Connell, R. I.	Tydings
Collins	Johnson, Ky.	O'Connor, N. Y.	Vare
Connolly, Pa.	Johnson, W. Va.	O'Sullivan	Voigt
Cooper, Ohio	Kelly	Oliver, N. Y.	Ward, N. Y.
Corning	Kendall	Paige	Weller
Cullen	Kerr	Parker	Welsh
Curry	Kless	Perkins	Wertz
Dempsey	Kunz	Perlman	Wilson, Miss.
Denison	LaGuardia	Porter	Wilson, Ind.
Dickstein	Lampert	Pou	Winslow
Dominick	Langlely	Prall	Wolf
Drane	Larson, Minn.	Purnell	Woodrum
Drewry	Lea, Calif.	Quayle	Wright
Eagan	Leach	Ransley	

The SPEAKER. Two hundred and sixty-eight Members have answered to their names; a quorum is present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of H. R. 11505, a bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes.

Mr. WARD of North Carolina. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WARD of North Carolina. Is there any opportunity, consistent with the rules of the House, by which, in the consideration of this bill, I would have the right to offer an amendment increasing the salaries of Congressmen and Senators to \$10,000 a year?

The SPEAKER. That will be for the Chairman of the Committee of the Whole to determine when the question arises.

Mr. WASON. Pending that motion, Mr. Speaker, I should like to ask the gentleman from Louisiana [Mr. SANDLIN] whether we can not agree about the time for general debate?

Mr. SANDLIN. I will state to the gentleman from New Hampshire that I understand the chairman of the subcommittee [Mr. Wood] wants some time reserved for him on Tuesday next. How much time does the gentleman desire?

Mr. WASON. I understand one hour and a half.

Mr. SANDLIN. I will be willing to agree to two hours on this side, with the understanding that I will try to use one hour and a half this afternoon and reserve 30 minutes for Tuesday.

Mr. WASON. The gentleman suggests four hours of general debate?

Mr. SANDLIN. Yes.

Mr. WASON. Mr. Speaker, I ask unanimous consent that general debate be limited to four hours, two hours to be controlled by the gentleman from Louisiana and two hours by myself.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that general debate be not exceeding four hours, half to be controlled by himself and half by the gentleman from Louisiana. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this bill, as the gentleman knows, embraces appropriations of \$452,349,617 for independent offices, exclusive of the 10 departments of Government. Does not the gentleman think we ought to have more than four hours' general debate on propositions as large as the ones contained in this bill?

Mr. WASON. I will say to the gentleman that the committee feels that four hours will be ample to satisfy any Member who wants to discuss this bill or other bills.

Mr. BLANTON. It would be ample if the gentleman would be liberal with us under the five-minute rule.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I do not think I shall object if we can have an understanding. I take it the gentleman will be liberal with us under the five-minute rule?

Mr. SNELL. Regular order, Mr. Speaker.

Mr. BYRNES of South Carolina. Mr. Speaker, reserving the right to object, I want to ask the gentleman from New Hampshire a question. I thought two hours would be sufficient on this side. I learn, however, of gentlemen who wish more time and I wonder if the gentleman would agree to five hours?

Mr. WASON. Five hours, to be divided equally?

Mr. BYRNES of South Carolina. Yes.

Mr. WASON. At the suggestion of my colleague on the committee, I would ask to change my request from four hours to five hours, the time to be equally divided.

The SPEAKER. The gentleman from New Hampshire modifies his request by changing the time from four hours to five hours. Is there objection?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TILSON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11505) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1926, and for other purposes, which the Clerk will report.

The Clerk read the title of the bill.

Mr. WASON. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New Hampshire asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. HOWARD of Nebraska. Mr. Chairman, reserving the right to object, I would say to the chairman that if the gentleman will print the bill in the RECORD I shall not object.

Mr. WASON. The chairman of the subcommittee has no authority over the printing of the bill.

Mr. BLANTON. Mr. Chairman, if the gentleman will couple with his request that the bill be printed in the RECORD as if read without the reading of it, then there will be no objection; otherwise there will be objection which will force the printing of the bill in the RECORD anyway.

Mr. HOWARD of Nebraska. I think that would be the easy way.

Mr. WASON. So far as the committee is concerned, I think we have no objection.

Mr. BLANTON. To the bill being printed in the RECORD.

Mr. WASON. If the committee wants the bill printed in the RECORD and wants to take up the space in the RECORD—

Mr. BLANTON. I insist on its being printed in the RECORD.

Mr. KING. I object.

The Clerk began the reading of the bill.

Mr. BANKHEAD (interrupting the reading). Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Alabama rise?

Mr. BANKHEAD. For the purpose of presenting a unanimous-consent request. I ask unanimous consent that the further reading of the bill be dispensed with, with the understanding that the text of the bill be incorporated in the RECORD at this point in lieu of its reading.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the further reading of the bill be dispensed with and that it be printed in the RECORD. Is there objection?

Mr. LEHLBACH. I object, Mr. Chairman, to establishing a precedent of that kind with reference to the printing of all these bills.

Mr. BLANTON. It goes in the RECORD anyway.

The CHAIRMAN. The gentleman from Texas is mistaken about that.

Mr. LEHLBACH. Reserving the right to object, Mr. Chairman, I want to state that these bills are printed and copies are available to everybody in concise form. Anyone can send a page to the document room and get them and take them to his office and study them, and it is a waste of money to print these bills in the RECORD, and I object.

The CHAIRMAN. Objection is heard. The Clerk will proceed with the reading of the bill.

The Clerk resumed the reading of the bill.

Mr. GARRETT of Tennessee (interrupting the reading). Mr. Chairman, is it in order to interrupt the reading of the bill with a parliamentary inquiry?

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GARRETT of Tennessee. Does the first reading of the bill in this manner cause the text of the bill to be printed in the RECORD?

The CHAIRMAN. The Chair is informed it is not the custom to print long bills in the RECORD when they are read. In the case of short bills, it has been the custom to print them in the RECORD when they have been read in full.

Mr. BLANTON. Mr. Chairman, on the parliamentary inquiry, the rules contemplate that when a bill is read, such as this reading, the bill shall go in the RECORD.

The CHAIRMAN. The Chair knows of no such rule.

Mr. BLANTON. Members can force the bill being printed in the RECORD by offering an amendment to each paragraph under the five-minute rule which forces its printing in the RECORD.

The CHAIRMAN. When a paragraph of the bill is read and an amendment is offered, of course it is printed.

Mr. LEHLBACH. I call the gentleman's attention to the fact that only the amendment of the gentleman is printed and not the paragraph of the bill.

Mr. BLANTON. The preceding paragraph to which the amendment is offered is always printed ahead of the amendment.

Mr. GARRETT of Tennessee. Mr. Chairman, if the bill is not to be printed in the RECORD in any event, let me make this suggestion to the gentleman from Texas. Of course, the gentleman is correct that if an amendment is offered to every paragraph of the bill the RECORD will show the paragraphs, but that which we are now doing is not going to force the printing of the bill as a whole under the ruling made by the Chairman, and I venture to suggest that after all this is not accomplishing the end which the gentleman has in view.

Mr. BLANTON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. BLANTON. If a minority of the membership, however small, believes it is to the interest of the taxpayers of the country to print these bills in the RECORD and such minority can force the bill to be printed by offering amendments to each paragraph, then in order to prevent forcing them to that roundabout way to get it in the RECORD, would it not be a saving of time and money to agree to the bill being printed in the RECORD at this time?

Mr. GARRETT of Tennessee. I have no objection to the bill being printed in the RECORD.

Mr. DOWELL. Let the gentleman from Texas take the responsibility of putting this bill in the RECORD by paragraphs.

Mr. BLANTON. I take the responsibility for everything I do here and elsewhere.

Mr. DOWELL. The gentleman can take that responsibility.

Mr. BLANTON. And I have been here eight years with a growing majority all the time.

Mr. GARRETT of Tennessee. All that I am suggesting now, I will say to the gentleman from Texas, is that in so far as securing the printing of the bill in this way is concerned, unless the gentleman from New Jersey and others withdraw their objection, this is futile, and it would be a saving of time—

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with, with the understanding that all the bill will be printed in the Record at this juncture.

Mr. LEHLBACH. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will proceed with the reading of the bill.

The Clerk resumed the reading of the bill.

Mr. BLANTON (interrupting the reading). Mr. Chairman, the Clerk has not read the paragraph beginning at line 18, page 15. I will leave it to the Clerk and he will admit he is skipping.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. BLANTON. Mr. Chairman, I rise to a question of privilege.

The CHAIRMAN. The Chair can not recognize the gentleman for that purpose.

Mr. BLANTON. Then I make a point of order under the rules of the House affecting it.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. When the committee orders the bill read it is the duty of the Clerk to read every paragraph. The Clerk sometimes reads "scientifically," which means that he skips whole pages when nobody objects, and he is reading "scientifically" now. He has skipped a paragraph. He will admit he has skipped it.

Mr. KING. Oh, the gentleman is mistaken.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. KING. I heard him read every word of the bill so far.

The Clerk resumed and completed the reading of the bill.

The CHAIRMAN. The Chair wishes to state on the point of order made by the gentleman from Texas [Mr. BLANTON] that he was called upon to rule suddenly and did not have the precedents at hand. The Chair now would like to cite one authority in this case. It is by Speaker Carlisle and will be found in the fifth volume of Hinds' Precedents, section 6967.

The syllabus or caption of the section reads as follows:

No rule requires the Official Reporters to insert in full in the RECORD every resolution or other proposition offered by a Member, regardless of the attendant circumstances.

The statement and ruling of Mr. Speaker Carlisle, so far as it is applicable here, is as follows:

The Chair will state that on being applied to yesterday by the Chief Official Reporter for advice as to whether or not the joint resolution which was read by the gentleman from Kentucky should be printed in the RECORD the Chair advised him that the joint resolution did not properly belong there and ought not, therefore, to go into the RECORD as a part of the proceedings of the House.

The Chair does not know of any rule which would authorize or require the Official Reporter to insert everything that may be read either on the floor of the House by a Member himself or from the desk by the Clerk in the hearing of the House. Unanimous consent is frequently asked of the House to insert such matters in the RECORD, and the Chair knows of no other way in which they can get there under the rules of the House, except that it has been the practice of the House, the Chair thinks, to insert in full resolutions of inquiry addressed to the heads of the executive departments of the Government. * * * The Chair decides that under the practice of the House the joint resolution offered by the gentleman from Kentucky on yesterday is not such part of the official record of the proceedings of the House as can be entered in full either upon the RECORD itself or upon the Journal of the House; and the Chair decides that the gentleman has now no right to demand, as a matter of right, the reading of the official notes of the reporters of what transpired on yesterday; from which decision the gentleman from Kentucky appeals.

An appeal having been taken, the appeal was laid on the table; and so the decision of the Chair was sustained.

Mr. BLANTON. Mr. Chairman, so that we may understand what the rule really is, does the Chair mean to say that under the decision of Speaker Carlisle everything that occurs on the

floor does not go into the RECORD—everything that a Member reads and what is read from the desk?

The CHAIRMAN. The decision is very clear and speaks for itself.

Mr. WASON. Mr. Chairman, I will ask the gentleman from Louisiana to use some of his time.

Mr. SANDLIN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. STENGLE].

Mr. STENGLE. Mr. Chairman, probably every Member of the House knows something is wrong with the classification of the Government positions, both in the District of Columbia and the field services. Members of Congress receive at their offices complaints from individual employees regarding what are alleged to be gross injustices and rank displays of favoritism. On the floor conservative gentlemen, leaders of the mighty Committee on Appropriations, rise to give solemn warning to the administrative officers of the Government that the classification act is on trial and that they must restrain their proclivities to boost their own salaries and the salaries of their favorites or something may happen to the goose that for the administrators has laid the golden egg.

Because of my great interest in this subject and my practical experience with personnel administration in the city of New York I have been asked to give my answer to the question now bothering so many of us here, "What is the matter with the classification act of 1923?"

The fundamental answer is simple, so simple that it can be given in two words—bad administration. The act itself may be susceptible of improvement in certain minor particulars, but nothing far-reaching can be accomplished until changes are made in the body administering the act. Not until the act has been applied by an administrative agency desirous of giving full effect to its obvious intent can anyone say what may be wrong with the details of the law. At present all—anyone—who studies the situation can see its gross and willful maladministration, in the face of which no act could be successful.

Take the familiar charge of discrimination and favoritism in allocating positions to classes and grades under the act. What do we find? The obvious intent of the act was that the Personnel Classification Board was to prepare and publish class specifications, in a form prescribed by the act, to guide and govern the administrative officers in allocating positions to the salary schedule contained in the act. What did the board do? It failed to prepare and publish the class specifications required by the act in advance of the allocations. It required department heads to make the allocations, not to the schedule contained in the act but to the discredited Bureau of Efficiency schedule. That very schedule had been offered on the floor of this House as an amendment to the classification act, and it was overwhelmingly rejected. Yet the majority of the Personnel Classification Board, under the influence of outside forces, required department heads to allocate positions to the very schedule this House had rejected.

The administrative officers of the departments were not controlled, as Congress intended they should be controlled, by class specifications in the form prescribed by the act. The discredited Bureau of Efficiency schedule had been rejected by the committees because it was too incomplete, fragmentary, and indefinite to serve as a basis for controlling administrators and securing real classification.

On what did the personnel board rely for securing uniformity of action on the part of all administrators and for preventing favoritism and discrimination? Mainly upon a handful of employees of the Bureau of Efficiency detailed to the personnel board. In twos or threes they were detailed to confer with departmental administrators. They were inadequate in number, often ignorant of the nature of the work they were to classify, and inexperienced in personnel administration. They had no adequate class specifications to guide them and they worked in camera.

Under the circumstances it is no wonder that Members of this House hear stories of favoritism and discrimination, and even of trades, between representatives of the personnel board and the administrative officers. Favoritism, discrimination, and trades are inevitable in the situation unless definite measures are taken to prevent them. The preventive measures, required by the act, the board refused to take. It is safe to assert that the majority of employees believe that this reclassification was made on the basis of existing rates of pay rather than on duties and responsibilities, as the act required, except in the case of upper administrative officers.

Did the board itself review these allocations to bring about uniformity across departmental lines and to detect favoritism, partiality, and trades? It went through some motions which the majority members of the board might be pleased to call

a review, but anyone who knows the problem of reviewing thousands of allocations knows that review was a fake. To get a proper review it is necessary to bring together in a real class all positions that are considered to be substantially alike regardless of the department in which they are located, regardless of their present rate of pay, and then to have them gone over with a fine-tooth comb to make sure no errors have crept in. Then the allocations to individual classes have to be made public so that the work of classification is subjected to the corrective forces of intelligent criticism based on knowledge of the facts. Processes like these the board refused to follow.

To aid in keeping administrators on the straight and narrow road of righteousness, to prevent them from dallying down the pleasant paths of favoritism and discrimination, it is generally recognized that one of the best forces is the knowledge and public opinion of the employees. Favoritism and discrimination seek the dark, secluded places. They can not flourish in the light.

What did the Bureau of Efficiency do in running the personnel board? It decreed "no light that can possibly be prevented." Many employees in the District of Columbia never were given an opportunity either to prepare a description of their own duties or to see the description prepared regarding them by some administrator or some representative of the Bureau of Efficiency.

Many of them knew nothing regarding their allocations until these allocations were finally announced. Then they had the opportunity individually, each by himself, to appeal. No provision was made to enable the employee to join with others in his class to make a common appeal as a matter that affected equally all in the same class. No arrangement was made so that the employee could learn readily how others like himself were classified in other departments so that he could tell by comparison whether his treatment was fair and uniform or whether he was the victim of discrimination and inequality.

The board never made any adequate provision for receiving and hearing appeals. It did not recognize them as a device for bringing about sound, equitable classification. In fact, the charge is made that threats were used to prevent them. In one instance, where employees doing like work were placed in three different grades, the board refused to correct the allocations and the employees started mandamus proceedings. The rumor is that they withdrew this suit because they were told that if they won and the court ruled that all had to be placed in the same grade the board would put them all in the lowest grade.

In the face of conditions like this in the administration of the classification act it is no wonder that Members constantly receive complaints of favoritism and discrimination.

Under the dominance of the United States Bureau of Efficiency and the force behind it, the personnel board has refused to apply the fundamental idea of the classification act—standardization through a central executive control of administrative officers in matters relating to salaries.

The theory the Bureau of Efficiency has seen fit to substitute for the act adopted by Congress is that administrators should be free to run their offices as they will, subject only to such control as Congress may itself exercise, without the aid of any central controlling agency. Experience demonstrates that this theory leads to gross abuse.

Congress is not equipped to secure the detailed knowledge necessary for adequate control. Congressmen themselves have not the time to devote to mastery of the minute details. It has no technical investigating staff. It often is not in session when important things happen. Congress can not sufficiently control the administrators without the aid of a central executive agency.

Free from real control many administrators run wild. They boost their own salaries. They boost the salaries of their immediate administrative assistants. Their favorites get salary advances. The money granted by Congress for deserving, hard-working subordinates may be dissipated by administrators in advancing the salaries of their own crowd.

In the absence of a central executive agency even unselfish, impartial administrators are not able to accomplish the three great objects of salary standardization—(1) pay related to duties and responsibilities; (2) pay fair alike to the employee and the taxpayer; (3) equal pay for equal work under like conditions, regardless of the department in which the employee is engaged. Freedom from any uniform or general salary restrictions and the differences in the principles and views of different administrators are the very forces which brought

about the conditions that made the reclassification act necessary.

Congress recognized these facts when it passed the classification act and set up the classification board as the central agency to exert the necessary control and to bring about equity and uniformity.

The board, as we all know, has failed to function as a real board. The representative of the Bureau of Efficiency, with colossal conceit and amazing effrontery, has flaunted the obvious intent of Congress. By devious devices he has created a situation whereby the representative of the Bureau of the Budget is in a vital matter deprived of his freedom in voting in the light of his own convictions and is forced to subscribe to a program which he himself does not indorse.

This House through its Committee on the Civil Service has investigated this matter thoroughly. The committee submitted a unanimous report in favor of the bill to abolish the Personnel Classification Board and transfer its functions to the Civil Service Commission. After debate this bill passed by an overwhelming majority. It has been reported out unanimously by the Senate Committee on the Civil Service and now it lies without action on the Senate Calendar.

What is the use of discussing in detail the merits and defects of an act of Congress if in fact we have a Government of men and not of law, if one man in Congress can set at naught a formal act of the whole Congress?

What is required is clear and simple. The first and most necessary step is to get an honest, straightforward, law-abiding enforcement of the act we already have.

The second is for the classifying agency and the Budget Bureau gently but firmly to control the administrative officers on the basis of ascertained facts in accordance with principles and standards laid down by Congress.

Specifically, administrators should be required in their estimates to show the number of employees of each grade and of each class within the grade that they believe will be required for the ensuing year, using the class titles and the salaries provided for in the classification act. The Budget Bureau should review these recommendations and submit its recommendations in equal detail. Congress should set its stamp of approval on the estimates submitted by the Budget Bureau or it should provide some device for indicating what changes it has provided. After an appropriation has been made there should be some record either in the appropriation act itself or in the supporting papers to show what personnel Congress has authorized, the number in each grade, and the number in each class within the grade.

Administrators should not be permitted to depart from this approved estimate just as their fancy dictates, free from any control except knowledge that they must get another appropriation next year. They ought not to be able to depart from this approved estimate without the consent of the Budget Bureau. Minor changes not affecting the salary grades or positions could be authorized under general rules that merely require a report to the Budget Bureau. Changes that increase the number of high-grade positions by using money that was appropriated for lower-grade positions should not be permitted without the express consent of the Budget Bureau granted in advance upon an affirmative showing of facts demonstrating that the change is in the interest of efficient administration. Complete records of the reasons for the departures authorized by the Budget Bureau should be carefully maintained by it, so that the records are always available to Congress and its committees in case any question is raised regarding the wisdom of a departure authorized by the Budget Bureau.

The central classifying agency must be constantly on the alert to prevent administrators from getting a position in one grade raised in classification to a higher grade upon a colored restatement of the duties of the position. There should be first-hand investigation by representatives of the classifying agency in every case where any doubt exists as to the accuracy or completeness of the facts upon which the action is to be taken.

The United States Civil Service Commission must go further than it has to prevent administrators from selecting for promotion employees not possessed of the qualifications required for the higher jobs. The taxpayers must be prepared to pay the salaries necessary to secure for the essential positions in their Government properly qualified employees. Congress is not relieved of its responsibility when it appropriates sufficient funds to pay the necessary salaries. It owes a duty to the public to take steps to prevent administrators from using these salaries for friends or favorites not fitted for the jobs. The classification act of 1923 recognized this principle. It specifically required that the class specifications should set forth

for each class "the minimum qualifications required for the satisfactory performance of such duties and tasks." This requirement is inadequately and ineffectively met by the Personnel Classification Board, and until it is met fully and effectively Congress can not prevent waste of the money it appropriates for salaries. Two things are necessary: First, to establish definite standards to govern entrance into a class, whether by original appointment through the civil service or by selection for promotion by the administrators, and, second, to require a central controlling agency, such as the Civil Service Commission, to make sure that the candidate for the position possesses the prescribed qualifications.

The steps just enumerated are necessary to prevent administrators from abusing lump-sum appropriations by having the positions of favorites raised in classification to a higher grade, getting the funds for this course by abolishing low-grade positions or by holding down the salaries of subordinate employees deserving of increases to the higher salary rates within their grade because of their efficiency.

The classifying agency must exert far greater control over advancement from rate to rate within the grade than the Personnel Classification Board has done. Administrators should not be free, uncontrolled, to jump a favorite from rate to rate within the grade, one step at a time as the classification act provides, but with only a constructive interval between jumps.

If the administrators abuse this feature of the classification act, it may be necessary for Congress to restore a provision which was in the act as it originally passed the House and as it was approved by the Senate Committee on Civil Service. According to this provision salary advancements within the grade were limited to one a year and that one to the next higher rate. This provision limiting advancements to one a year went out of the bill in the Senate Committee on Appropriations. Something may be said in favor of its elimination, provided the classifying agency and the Budget Bureau exert proper control over administrators. Experience demonstrates, however, that administrators can not be left free and uncontrolled with a power to advance favorites as rapidly as they will from bottom to top of the grade.

The primary responsibility rests on the agency administering the classification act. It must develop effective control. If it fails in its obligation to the public, then Congress will have legislatively to deprive the administrators and the classifying agency of the freedom permitted them under this act.

What the course of the agency administering the classification act should do is obvious.

Under the powers conferred upon it by section 9 of the act it should make rules governing the advancement of employees from rate to rate within the grade. For many classes the rules should provide that administrators can not advance employees to the higher rates of the grade without the expressed consent of the central agency after an affirmative showing of the exceptional efficiency of the employee.

For each class set up within a grade the salary rates must be appropriate for that class. If the highest rates for a grade are too high to be appropriate for a given class of positions within that grade, the classifying agency should advise administrators that these higher rates can not be used for that class. If the lowest rates in the grade are too low to get the type of employees required, the classifying agency should not use them for that class of positions but should use the higher rates of the grade. Congress gave to the classifying agency the power to divide grades in order to make them fit precisely the classes of positions in the service. The classifying agency must use this power and not leave administrators free without restraint to use the whole range of the grade for each position allocated to that grade regardless of the precise nature of its duties and responsibilities. Congress limited the central controlling agency by establishing broad grades within which it had to keep; it was expected to use discretion in applying these rates, and to keep the salaries for each class appropriate to that class.

The Budget Bureau should take steps to aid in bringing this matter of salary advancements within the class under proper fiscal control. Heads of departments can be required to show separately the amounts requested for efficiency increments indicating how that amount is to be distributed among the several classes of positions for which appropriations are asked. The Budget Bureau and Congress will then have data regarding how it is proposed to apply the provisions regarding efficiency increments in the next year. If Congress wishes to go so far, it can appropriate as a separate item the amount it grants for efficiency increments, so that the administrators can not go further in this matter than Congress directs.

The average provision through which Congress attempted to control the departments in the past year, and the similar provision being adopted for the coming year, are temporary expedients obviously unsatisfactory. They are broad, sweeping, and general. They do not take into consideration the detailed facts in the individual cases. They are too readily circumvented by the ingenious administrator. By doing an injustice to a deserving employee he may get means of jumping a favorite, and still be within the average. Justice to the public and to the employees is not to be achieved through any such average short cut.

The administration of the classification act must be put into the hands of a competent agency. The Bureau of Efficiency has from the earliest opposed the type of control that Congress adopted in the classification act. Satisfactory results can not be secured by intrusting the administration of an act to its most vicious opponent. [Applause.]

Mr. WASON. Mr. Chairman, I yield 15 minutes to the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, I have taken this occasion to make some observations in reference to the appropriations that the Congress has been making during the last three or four years under the Budget for the work of the Interstate Commerce Commission. This commission was established in 1887, largely for regulating purposes, and with duties quasi judicial in character. Rate making is a legislative function, and when the Interstate Commerce Commission acts, it acts because of power that has been delegated to it by Congress. It would be impractical for Congress to fix railroad rates directly. We do it through the Interstate Commerce Commission, to whom we have delegated that power. Therefore, when the Interstate Commerce Commission acts with reference to these rate-making and regulatory functions it acts as an agent of Congress. In reference to those matters pertaining to appropriations for the carrying on of this work we ought always to bear in mind that it is the agent of this Congress, and that it is not a part of any one of the 10 large departments of the Government presided over by a Cabinet officer and responsible directly to the President.

Under the Budget Bureau they have been making their estimates just as the departments have been making them. When it comes time to compare the total of the estimates of the departments and the independent offices with the total receipts of the Government, and a cut is deemed necessary, the practice seems to be for the Budget Bureau to make a more or less arbitrary and horizontal cut throughout the 10 departments of the Government, including the Interstate Commerce Commission. This has now happened for three years.

The result has been to seriously hamper the commission in carrying out the rate-fixing and other regulatory duties imposed upon it by Congress. Of course, it must be borne in mind that the Interstate Commerce Commission has no representative in the Cabinet, and that it occupies a rather peculiar and unique position. We all know that the work of the commission has increased materially during the last two years. Yet these appropriations have decreased. The estimates of the commission for the fiscal year 1923 were \$5,649,500. The Budget's estimates showed a reduction of about \$200,000, making it \$5,344,970. In 1924 the commission's estimates were \$5,204,500 and the Budget's estimates were \$4,514,000. In 1925 the commission's estimates were \$4,688,860 and the Budget's estimates for 1925 were \$4,279,500. During all of this time their work was increasing materially every year, as I shall later demonstrate.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Yes.

Mr. CONNALLY of Texas. I have had some communications from people throughout the country about appropriations for the Interstate Commerce Commission. In what respect, in this bill, does the committee fail to supply sufficient funds. What particular activity of the commission is hampered?

Mr. NEWTON of Minnesota. I shall come to that in a moment. For 1926 the commission, in its report to the Congress, estimated its needs at \$7,364,496, and the Budget's estimates which were submitted to Congress amounted to only \$4,913,500, a difference of close to two and a half million dollars. Mr. Chairman, I am glad to say, however, that the Committee on Appropriations gave a great deal of time to this item in their bill and that as a result of hearings held by that committee they have increased the Budget's figures about \$2,000,000, granting to the Interstate Commerce Commission a sum substantially close to that which it requested Congress to appropriate. I think that answers the question of the gentleman from Texas.

Mr. CONNALLY of Texas. That answers it, except the extent to which any particular branch of that activity will be curtailed if the appropriation is not granted.

Mr. NEWTON of Minnesota. Let me now call attention to the Budget cuts. The general account was cut \$218,000. In this account is included the general work of the commission. The statistical or accounts division was cut between \$500,000 and \$600,000. That would very seriously have interfered with the compilation of the work growing out of the valuation proceedings leading to a recapture of the earnings of some of the dividend-paying roads under the provisions of the transportation act. The inspection and safety-appliance work was cut \$200,000. The valuation division appropriation was cut nearly \$1,400,000. The commission requested \$2,369,626. It will be seen that this very substantial cut would have postponed the completion of this work several years.

Mr. BYRNES of South Carolina. The gentleman is talking of what would have happened if the Appropriation Committee had not done what it has done?

Mr. NEWTON of Minnesota. Yes. When this matter was brought to the attention of the Committee on Appropriations at the hearings it went into the matter exhaustively, and, as I have heretofore said, that committee added to the figures submitted by the Bureau of the Budget something like \$2,000,000.

Mr. SANDLIN. Two million two hundred and twelve thousand dollars.

Mr. NEWTON of Minnesota. In doing so it seems to me the committee has appreciated to the full extent the work of the commission and the peculiar position that the commission occupies in our Government as an agency of Congress for rate making and regulatory purposes.

The Budget Bureau has not appreciated this. All of this time that the Budget has been cutting the commission's appropriations the work of the commission has been increasing materially. I mention this at this time in the hope that a year from now a different policy will prevail in the Bureau of the Budget and that that bureau will appreciate the fact that the commission is an agency of the Congress, carrying out a legislative function, and that it will treat the estimates of that commission in that light.

Now, as to this increase in work. Take the formal proceedings before the commission. In the year 1906 they amounted in all to 74 per year, in 1924 they had increased to 1,332. Take the general investigations; that is, extension rate investigations over a certain territory. In 1900 they amounted to 8 and in 1920 they had increased to 30. In 1923 they were 28. In 1924, due largely to the decrease in appropriations as submitted by the Bureau of the Budget, they were curtailed down to 11. Take suspensions. In 1906 they amounted to 25 and in 1924 they had risen to 316. Here is the situation: The railroad puts into effect a new rate. That railroad files it and in 30 days it goes into effect, unless some one protests it and asks for a suspension. These suspension cases apply to those protests and the hearings upon them. Under the law the commission must sit and hear them and decide within 120 days. That means that these cases take precedence over others, and if you do not give the commission adequate help and they must give precedence to these cases, then it means that those other cases upon which there is no time limit drag along and are taken up whenever they can be. The railroad can get precedence on these cases, for the commission must decide in 120 days. But the lone shipper who has a complaint on an existing rate does not have the benefit of any time limit. He suffers more than anyone else in this policy of curtailment.

Now, in the year 1906 there were disposed of 63 cases from the formal docket. In 1924 the increased output from that formal docket alone had risen to 1,316 cases. This alone indicates a great increase in the work of the commission. The reports of the decisions of the commission are printed and are available to the public. In 1906 there were 32 decisions reported consisting of 251 pages. In 1924 there were 1,663 printed decisions and opinions covering 7,760 pages, again an evidence of increase in the work. Now, in 1923 there were pending undecided 1,906 of the formal cases before the commission, and this number has increased in 1924 to 2,076. This is evidence that the commission is slowing up in disposing of its cases through inadequate help. At the time when the Bureau of the Budget was first started the commission was practically current in its work. The cases were heard just as soon as the litigants wanted to have them heard, and the cases were determined very shortly after their submission. As a result of this curtailment program, which the Committee on Appropriations has put a stop to at this session of Congress—as a result of all of this—the commission now has 2,076 cases pending. Instead of being current with their work they are now

600 days behind on the formal docket, and 300 days behind on the special docket. Gentlemen, there is no sound economy in the curtailment of moneys which is at once reflected in the curtailment of such important work.

Mr. UPSHAW. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. UPSHAW. Does the gentleman propose a recommendation now? I am in full sympathy with the line of the gentleman's message.

Mr. NEWTON of Minnesota. No. I said, I think before the gentleman came in, that the Committee on Appropriations, recognizing that the Bureau of the Budget had been starving this independent office of the Government long enough, increased the appropriations over the figures of the Budget by \$2,212,000, and I want to commend the committee for the way in which they went about this.

Mr. UPSHAW. Does the gentleman think this increase will greatly relieve the congestion?

Mr. NEWTON of Minnesota. There is no question about it at all.

Mr. MORTON D. HULL. If the gentleman will permit, what are the formal cases; what distinguishes them from the informal cases?

Mr. NEWTON of Minnesota. The formal cases are those set down for hearing and argument. They are disputed, and they are placed upon a calendar. Testimony is taken and arguments heard. The informal cases are where complaints are made and are adjusted without any formal hearings by getting the parties together, a sort of arbitration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NEWTON of Minnesota. I wonder if I can have about five minutes additional?

Mr. WASON. I yield the gentleman five additional minutes.

Mr. NEWTON of Minnesota. I thank the gentleman. Now, I would like to call attention to this particular "penny-wise-and-pound-foolish" policy. In the last six months there were 112 hearings held here in the city of Washington that ordinarily would have been held out in the field, and under those 112 hearings there were brought to the city of Washington 1,097 people, consisting of parties litigant, their counsel, and their witnesses, paying transportation down to Washington, putting up with outrageous prices for room and food, and all of that while staying here; and then transportation from here back home. If they had six examiners out in the field, such as has been the case, these cases would have all been determined out in the field. These shippers would have been saved this expense. This sort of policy, let me say, just simply adds more and more to this centralization of every thing here in Washington. Who gets the benefit of it? Well, the hotel keepers, the railroad companies who carry the parties, and the lawyers who charge good-sized fees here in Washington. Certainly nobody out home profits therefrom.

Mr. RUBEX. Will the gentleman yield for one question?

Mr. NEWTON of Minnesota. I will.

Mr. RUBEX. Do I understand the commission pays all these expenses of the people who come here?

Mr. NEWTON of Minnesota. Oh, no; they are paid by the parties litigant.

Mr. RUBEX. I did not think so.

Mr. NEWTON of Minnesota. The commission would pay the expenses of the examiners going out into the field and their salary. Now, there is something further. Congress a year ago passed an amendment to the transportation act whereby about 40,000 claims have been filed with the commission, made necessary by a Supreme Court decision, which amendment passed both Houses without a dissenting vote. That has entailed a great deal of additional work upon the commission, and the Bureau of the Budget in going over the estimates paid no attention whatever to the great increase in the work of the commission, and this added new increase, caused by this legislation. Furthermore, we added to the safety appliance and inspection force. They made no provision in respect to that. Let me say this in closing.

They cut down the printing and binding item from \$160,000 to \$124,000. The commission gets paid for all its printed and bound copies, and of course they are in demand all over the country. Not to have increased that item would have meant that the people who want to know what the commission is deciding would have no means of knowing anything about it except from the printed slips which go out, which are very easily lost. That part of the work of the commission is self-supporting; yet it was cut arbitrarily, just like the others.

You will recall that in the transportation act there was a provision for the recapture of railroad earnings in excess of a fair return to be fixed by the commission. The present rate, as

I recall it, is 5% per cent. But in order that the Government might realize on the recapture the valuation work must be completed. All of the field work is completed now. What remains is the office work. It is hoped that that work can be completed within two or three years' time; but until that work is completed the recapture of money under the recapture clause can not even commence. Yet by the failure to provide the commission with adequate moneys the valuation work would be so far retarded as to put it over for 8 years or 10 years. It is estimated that there is now coming to the Government under this recapture clause somewhere between \$80,000,000 and \$100,000,000. Now, there is no sound economy in the Budget Bureau cutting down an agency like that. [Applause.] I hope that when next year's Budget is made up that the Bureau of the Budget will have experienced a pronounced change in their attitude toward the work of the commission.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. SANDLIN. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. McClintic].

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. McCLINTIC. Mr. Chairman, it is always a pleasure to address the House when there are so many Members present. There was published on the editorial page of the Washington Post, under date of January 16, excerpts from the congressional and other published records, an article headed, "Take your choice." In substance, this editorial covered certain testimony which had been given by high officials of our Government relative to the effect of a bomb when dropped from an airplane for the purpose of sinking a ship. The Secretary of the Navy stated that a 2,000-pound bomb striking the deck of a ship would not cause any damaging effect. In a parallel column there was printed another statement, quoting Gen. John J. Pershing, Theodore Roosevelt, jr., Acting Secretary of the Navy, and John W. Weeks, Secretary of War, in which they said that a bomb dropped from the air striking the water near a ship would cause the same to be sunk. The article follows:

TAKE YOUR CHOICE

Extract from report of hearing by House Committee on Naval Affairs, January 8, 1925, the Secretary of the Navy on the stand:

"Would the explosion of a 2,000-pound bomb on a battleship's deck jam the turrets and shell shock the crew?" asked Representative McCLINTIC, of Oklahoma.

"We know it will not; our experiments show that statement is absolutely untenable and ridiculous," replied Mr. Wilbur.

Extract from report of the joint board on results of aviation and ordnance tests, June and July, 1921:

18. Aircraft carrying high-capacity high-explosive bombs of sufficient size have adequate offensive power to sink or seriously damage any naval vessel at present constructed, provided such projectiles can be placed in the water close alongside the vessel.

JOHN J. PERSHING,
Senior Member.

Approved:
THEO. ROOSEVELT,
Acting Secretary of the Navy.

Approved:
JOHN W. WEEKS,
Secretary of War.

Mr. Chairman, I have been interested in the development of aircraft ever since I became a member of the Committee on Naval Affairs. I have been in the minority, in that my views have not been supported by a great many members of this committee. Inasmuch as I made the inquiry of the Secretary of the Navy which caused him to answer as he did, I feel it is my duty to make some further observations at this time in relation to this subject. The Secretary of the Navy, Mr. Wilbur, takes the position that a 2,000-pound bomb when dropped from the air on the deck of a ship will not do any great damage to same, and it can be construed from a statement published in this morning's Washington Post that he does not feel that aircraft in the future will play an important part in the defense of our Nation, for the reason that improvements have been made in antiaircraft guns which are to be used for the purpose of destroying planes when attacking from the air. I am not in accord with his views on this subject, for I believe that if a 2,000-pound bomb filled with T. N. T. would strike the deck of a ship in close proximity to its turrets, the force of the explosion would disarrange some part of the machinery and probably cause certain guns to be put out of commission, even if the same did not sink the ship.

Everyone knows that after the war with Germany 10 of her vessels were turned over to the United States conditioned that the same be destroyed. A great many Members of Con-

gress were invited to witness this demonstration. I remember that the largest of these ships, a former German cruiser, was sunk by a bomb when it struck the water close to the side of the ship, and in addition, if my memory serves me correctly, every ship attacked by planes was soon sunk. Therefore, I can not conceive of any good reason why the Secretary should take this position.

When the Secretary was before the Naval Affairs Committee it was brought out in the hearing that a special board had been appointed by him to give careful thought and consideration to the question of aircraft. When I asked the Secretary if any member of this board had ever had any experience or been connected with any branch of the service dealing with aircraft, he answered "No." In view of this remarkable situation I believe that anyone can deduct for himself or draw on his imagination as to the kind of report this board will make. I can not conceive of any good reason for appointing a board to make an investigation of a subject composed entirely of members who have never had any actual experience with the subject they are to investigate, unless this action was taken with some deliberate purpose in mind; therefore, regardless of what kind of report is made on this subject, there will be those who will say that the Secretary would have acted far wiser by making selections which would have represented all activities of the Navy.

In an article appearing in the Washington Post to-day the Secretary of the Navy attempted to explain his position with respect to his testimony given in this connection. He makes the statement that this board is conducting and carrying on an exhaustive investigation and that shortly it will make a voluminous report. He also calls attention to the fact that the probability of hitting a ship with a bomb dropped from the air is practically negligible if the target is protected by a pursuit plane. In contrast to this statement, I wish to call the attention of the House to the article recently published in the Saturday Evening Post, in which General Mitchell states that when the flying planes of the Army were making preparations to go out over the ocean, for the purpose of demonstrating their ability to drop bombs on the vessels turned over to us by the Allies to be sunk, the pilots of these planes were given special training and instruction. In Chesapeake Bay targets, still and moving, were used for this purpose until a great degree of efficiency was developed, and more targets were hit than missed. This article also calls attention and gives reason why our main defense in the future must depend to a large extent upon the development of aircraft.

There are those in the Navy who believe that antiaircraft guns will be sufficient to protect our ships in case of war; yet the statement has been made by a number of those who flew planes in the late war with Germany that only about 1 shot out of every 100,000 fired by antiaircraft guns made a hit; therefore I am of the opinion that if our Navy is to depend on antiaircraft guns alone to defend it from enemy planes in case of war our fighting forces will be defeated before we get half started.

Recently I had a conference with a certain official in the Navy who occupies a prominent position, and he admitted to me that whenever an enemy could destroy our aircraft defense then the fleet would be at their mercy. I have made the statement on numerous occasions in the past, and I am still of the same opinion, that as long as this Nation is able to maintain a superior air force just that long will we be able to keep any army from ever landing on our shores. [Applause.]

Mr. Chairman, the old slogan used to be, "The battleship is the backbone of the navy." New inventions have brought about new results, and while the battleship may be the backbone it will never be called on to perform any service in battle until after aircraft has played its part, and if the enemy fleet of airships is superior to ours, then the so-called backbone will not be able to function very long. I think we have the cart before the horse, and that the time has come for the people of this country to order that conditions be reversed so that proper attention and support may be given to the most important arm of our defense.

The Navy is charged with the responsibility, more than any other bureau of our Government, to defend the shores of our Nation. If the Secretary and his special board, none of whom have had any experience in dealing with matters of this kind, are not willing to recognize this branch of our defense, which is of vital importance to the welfare of our country, then it would be better for Congress to pass a bill consolidating all aircraft under a separate bureau or turn the same over to the Army and let it be developed in an efficient manner under the Secretary of War and General Mitchell. A great many have felt for a long time that there were those in the Navy who were quietly doing everything in their power to keep the subject of aircraft from obtaining proper consideration and recognition,

I can easily surmise why it is hard for a man schooled along certain lines to grasp new ideas. The majority of the admirals in the Navy are graduates from the Naval Academy. They were taught that the battleship is superior to every other kind of defense used on the sea. Aircraft was developed within the last 10 years, and for this reason it is rather hard for a person to change his mind after he has passed a certain period in life.

It is for this reason I have given notice that I would introduce a bill for the purpose of making it mandatory that every midshipman attending the Naval Academy at Annapolis in the future be given certain training relative to the use of aircraft. I know that a course should be provided so that those who desire to specialize in aircraft may have an opportunity of doing so. It is inconceivable to believe that any one, either in the Army or Navy, will ever say that the cadets or midshipmen who are to take charge of the armies or navies in the future should not be given technical instruction along these lines.

I am much pleased that we have developed airships in a very satisfactory manner. We have in this Nation a monopoly when it comes to the supply of helium, which is the only noninflammable and noncombustible gas that can be used in ships of this type. At the present time great quantities of this gas are going to waste in my home State, Oklahoma. I have felt that it would be wise to continue development along this line. The *Shenandoah* has a net carrying capacity of about 70,000 pounds. It has been demonstrated that ships of this type can carry as a part of their equipment a number of suspended planes, which can be launched from the air. These planes, after performing service, can fly underneath the mother ship and reattach themselves. To me this is a very important result, and I think it wise and expedient for the Navy to undertake the construction of larger dirigibles so that we may have airships that can fly back and forth across the sea with ease. Vessels of this type will encourage commercial navigation for the reason travel in such ships will be as safe, if not safer, than traveling on trains.

Many of you remember that the English Government completed a great airship which was to be turned over to the United States. This ship in some way caught fire, exploded in mid-air, which resulted in the death of nearly everyone aboard. A little later the Italian Government completed a large dirigible, and in some way something happened to cause it to explode, and not a soul was left to tell the tale. Very soon thereafter in this Nation there were those in the Navy who proposed that the only ship of this type of any consequence in the world, the *Shenandoah*, should make a trip to the North Pole.

I opposed this proposition, feeling and believing that if the ship went to a section of the country where no kind of relief or assistance could be given in case of distress, the same might result in a total loss, and in the hearings before the committee, I prophesied if the trip was made, that the ship would never return. Practically every member of the committee, except my colleague, Congressman TAYLOR of West Virginia, favored this trip to the North Pole. However, President Coolidge took a hand, and it is to his credit that this kind of foolishness was stopped. I do not know whether there are those in the Navy who would like to have seen a third ship destroyed or not. I do know that if the *Shenandoah* had taken this trip and for any reason failed to return, the construction of airships would have received such a black eye in the future that development would have been seriously retarded. I am glad that the *Shenandoah* and the *Los Angeles* have proved to be sea and land worthy, and I look forward with pleasure to the time when more airships and flying planes and fewer battleships will be constructed.

In the future every engagement, either on land or sea, must depend on aircraft for success; therefore it behooves every citizen of this Nation to take an interest in the kind of defense that will make our Army and our Navy more efficient. [Applause.]

Mr. WASON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11505 and had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. BLOOM, indefinitely, on account of illness.

To Mr. BOYCE, for four days, on account of important business.

REFERENCE

The SPEAKER. The bill (H. R. 11363) to restore to the public domain certain lands within the Casa Grande Ruins National Monument, and for other purposes, was referred to the Committee on Indian Affairs. That committee desires that the bill be referred to the Committee on the Public Lands. Without objection, the Chair will so rerefer it.

There was no objection.

ENROLLED BILL SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same.

H. R. 11308. An act making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide urgent supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes.

ADJOURNMENT

Mr. WASON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 35 minutes p. m.) the House adjourned until Monday, January 19, 1925, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LUCE: Committee on the Library. H. J. Res. 319. A joint resolution granting permission to Mrs. Louis M. Bennett to erect a memorial in memory of Lieut. Louis Bennett as a gift to the people of the United States; without amendment (Rept. No. 1227). Referred to the House Calendar.

Mr. KELLER: Committee on the District of Columbia. S. 2842. An act to provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes; without amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAYDEN: Committee on Indian Affairs. H. R. 4114. A bill authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.; with amendments (Rept. No. 1242). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Flood Control. H. R. 10287. A bill authorizing preliminary examination and survey of the Caloosahatchee River, in Florida, with a view to the control of floods; with an amendment (Rept. No. 1243). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. EDMONDS: Committee on Claims. S. 660. An act for the relief of the Ogden Chamber of Commerce; without amendment (Rept. No. 1228). Referred to the Committee of the Whole House.

Mr. THOMAS of Oklahoma: Committee on Claims. S. 1893. An act to refund certain duties paid by the Nash Motors Co.; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. S. 2139. An act for the relief of the estate of Walter A. Rich, deceased; without amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. UNDERHILL. Committee on Claims. S. 2458. An act to authorize the payment of an indemnity to the Swedish Government for the losses sustained by its nationals in the sinking of the Swedish fishing boat *Lilly*; without amendment (Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. S. 2503. An act for the relief of W. H. King; without amendment (Rept. No. 1232). Referred to the Committee of the Whole House.

Mr. THOMAS of Oklahoma: Committee on Claims. S. 2534. An act for the relief of J. E. Saucier; with an amendment (Rept. No. 1233). Referred to the Committee of the Whole House.

Mr. McREYNOLDS: Committee on Claims. S. 2714. An act for the relief of John F. Malley; without amendment (Rept. No. 1234). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. S. 2774. An act for the relief of G. Ferlita; without amendment (Rept. No. 1235). Referred to the Committee of the Whole House.

Mr. McREYNOLDS: Committee on Claims. H. R. 7744. A bill for the relief of Wesley T. Eastep; without amendment (Rept. No. 1236). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 8538. A bill for the relief of Frank A. Forsland; without amendment (Rept. No. 1237). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 8037. A bill for the relief of the Mallory Steamship Co.; without amendment (Rept. No. 1238). Referred to the Committee of the Whole House.

Mr. BULWINKLE: Committee on Claims. H. R. 2292. A bill for the relief of Joel C. Clore; with an amendment (Rept. No. 1239). Referred to the Committee of the Whole House.

Mr. EDMONDS: Committee on Claims. S. 2879. An act for the relief of James E. Jenkins; with an amendment (Rept. No. 1240). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 11653) granting a pension to Oscar C. Settle; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11693) granting an increase of pension to Marion A. Hey; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BLANTON: A bill (H. R. 11722) to create a real estate commission for the District of Columbia; to define, regulate, and license real-estate brokers and real-estate salesmen; and to provide a penalty for a violation of the provisions hereof; to the Committee on the District of Columbia.

By Mr. MERRITT: A bill (H. R. 11723) to protect the public against fraud by prohibiting the sale or shipment in interstate or foreign commerce of misbranded articles, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EDMONDS: A bill (H. R. 11724) defining the home port of vessels, fixing the place for recording mortgages, bills of sale, and other documents, and validating documents for vessels heretofore issued and all vessel conveyances and mortgages and recording thereof heretofore made; to the Committee on the Merchant Marine and Fisheries.

By Mr. BLAND: A bill (H. R. 11725) to legalize a pier and wharf at York River at Gloucester Banks, near Gloucester Point, Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMSON: A bill (H. R. 11726) to authorize the creation of a national memorial in the Harney National Forest; to the Committee on the Public Lands.

By Mr. McKENZIE: Resolution (H. Res. 407) for the consideration of H. R. 518; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 11727) granting an increase of pension to Edmond Willis; to the Committee on Pensions.

By Mr. BACHARACH: A bill (H. R. 11728) granting an increase of pension to Katherine Kraft; to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 11729) for the relief of Fred B. Manders; to the Committee on Claims.

Also, a bill (H. R. 11730) for the relief of W. K. Crow; to the Committee on Claims.

By Mr. BLACK of Texas: A bill (H. R. 11731) granting a pension to Frank H. Oliver; to the Committee on Pensions.

By Mr. CLARKE of New York: A bill (H. R. 11732) granting a pension to Maria E. Ross; to the Committee on Invalid Pensions.

By Mr. DAVEY: A bill (H. R. 11733) granting a pension to Julia A. Spriger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11734) granting an increase of pension to Lucy Spring; to the Committee on Invalid Pensions.

By Mr. FLEETWOOD: A bill (H. R. 11735) granting an increase of pension to Nancy P. Andrews; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 11736) granting an increase of pension to Annie L. Miller; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 11737) authorizing preliminary examinations and surveys of sundry rivers with a view to the control of their floods; to the Committee on Flood Control.

By Mr. HARDY: A bill (H. R. 11738) to remove the charge of desertion from the military record of George A. McKenzie, alias William A. Williams; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 11739) granting an increase of pension to John H. Steiner; to the Committee on Pensions.

By Mr. MAJOR of Missouri: A bill (H. R. 11740) granting an increase of pension to William H. Hayes; to the Committee on Pensions.

By Mr. MANLOVE: A bill (H. R. 11741) granting an increase of pension to Sophronia Burden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11742) granting an increase of pension to Elizabeth A. Munday; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 11743) granting a pension to Alice Cox; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 11744) granting an increase of pension to Sarah Moore; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 11745) granting an increase of pension to Margaret A. Brothers; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 11746) granting an increase of pension to Sarah E. Cushing; to the Committee on Invalid Pensions.

By Mr. STEPHENS: A bill (H. R. 11747) granting a pension to Thomas Kinney; to the Committee on Pensions.

By Mr. SUTHERLAND: A bill (H. R. 11748) for the relief of Daniel Kennedy; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3480. By Mr. BACHARACH: Petition of sundry citizens of Vineland, N. J., in opposition to Senate bill 3218; to the Committee on the District of Columbia.

3481. By Mr. BERGER: Memorial of the common council of the city of Milwaukee, favoring the retaining of Muscle Shoals by the Government and its development and operation for the benefit of the Nation; to the Committee on Military Affairs.

3482. By Mr. DRIVER: Petition of citizens of Marianna, Ark., protesting against the passage of the compulsory Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3483. By Mr. GALLIVAN: Petition of the Boston Municipal Council, United States War Veterans, Boston, Mass., recommending early and favorable action on the Knutson pension bill; to the Committee on Pensions.

3484. By Mr. GALLIVAN: Petition of Sylpho Nathol Co., Boston, Mass., urging favorable action on recommendation of the President and the Postmaster General relative to increasing postal rates; to the Committee on the Post Office and Post Roads.

SENATE

Monday, January 19, 1925

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, ever the same in Thy tenderness, in Thy loving sympathy and the constancy of Thy care. We come this morning recognizing Thy goodness to us. Thou art indeed a God that never fails in promises, though we, alas, too often forget the hand that is guiding our path. Hear us to-day, we beseech of Thee. Grant unto us the guidance of Thy grace and enable us to fulfill every obligation as in Thy sight and for Thy glory. We humbly ask in Jesus' name. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday, January 15, 1925, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

COOPERATION IN LAW ENFORCEMENT BY NORWAY

Mr. BORAH. Mr. President, I ask permission to have read a very brief statement in the way of an Associated Press dis-